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ANNUAL REPORT
of the
MARYLAND JUDICIARY

1984-1985

Administrative Office of the Courts
Courts of Appeal Building
Post Office Box 431
Annapolis, Maryland 21404
301/269-2141

COVER: The Courts of Appeal Building
Annapolis, Maryland

Report prepared by the
Administrative Office of the Courts
Editor—Deborah A. Unitus
Photographs by the Honorable Thomas J. Curley

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Letter of Transmittal

ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401

DBS 2141

STATE COURT ADMINISTRATOR
JAMES H. NORRIS, JR.



DEPUTY STATE COURT ADMINISTRATOR
ROBERT W. McKEEVER

September 3, 1985

It is a pleasure to present the ninth *Annual Report of the Maryland Judiciary*, which includes the thirtieth Annual Report of the Administrative Office of the Courts, as required by §13-101 (d)(9) of the Courts and Judicial Proceedings Article. The report covers fiscal 1985, beginning July 1, 1984 and ending June 30, 1985.

In the past, the report has been prepared in two volumes, volume 1 treating the programs of the court system in overview fashion and volume 2 containing statistical abstracts supporting the information provided in volume 1. However, in interest of consolidation of information, this report is presented in one volume with the hope that it will be more convenient as a reference tool.

As in the past, the statistics on which most of the report is based have been provided through the fine efforts of the clerks of the circuit courts for the counties and Baltimore City and the clerks of the District Court of Maryland. My thanks to them and all those whose invaluable assistance have contributed to the preparation of this publication.

A large, stylized handwritten signature of James H. Norris, Jr. in dark ink.

James H. Norris, Jr.
State Court Administrator

Introduction



ROBERT C. MURPHY
CHIEF JUDGE
COURT OF APPEALS OF MARYLAND
COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401

September 3, 1985

The ninth *Annual Report of the Maryland Judiciary* shows, in the period from July 1, 1984 to June 30, 1985, significant growth in the caseload of the courts in the State of Maryland. This is, of course, a perennial problem but, I am pleased to report that, despite the increased caseload, the courts were equal to the task.

Considerable effort on the part of the judges and the supporting staff has been made to ensure that the increased caseload not result in unreasonable delays in the disposition of cases. The judges and the staff are to be commended for a job superbly done.

This report is intended to provide an overview of judicial branch activities, to give interested persons insight into the functions of the judiciary, the problems that are faced, and the measures by which we seek to resolve those problems in the public interest.

A handwritten signature in cursive script, reading "Robert C. Murphy", is positioned above the typed name.

Robert C. Murphy
Chief Judge of the
Court of Appeals of Maryland

Judicial Revenues and Expenditures

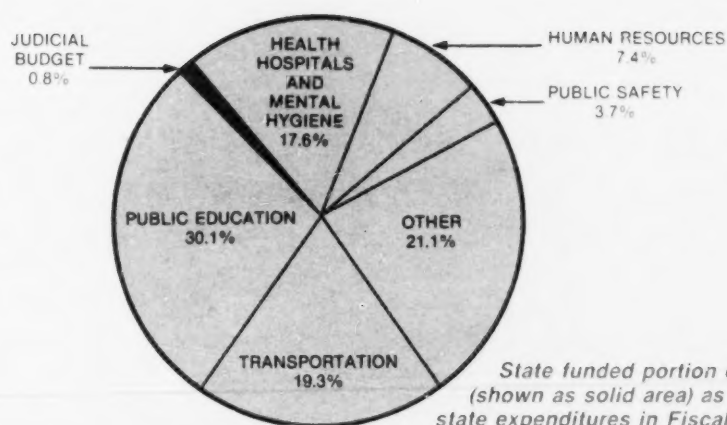
State and local costs to support the operations of the judicial branch of government in Maryland were \$101,550,000 in fiscal 1985. The judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts, including the Circuit Court for Baltimore City; the District Court of Maryland; the clerks' offices and headquarters of the several courts; the Administrative Office of the Courts; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; the State Board of Law Examiners; the Maryland State Law Library; the Commission on Judicial Disabilities; the Clients' Security Trust Fund; and the Attorney Grievance Commission. There were 217 judicial positions as of July 1, 1984, and approximately 2,800 nonjudicial positions in the judicial branch.

The state-funded judiciary budget operates on a program budget concept and expended \$52,938,118 in the twelve-month period ending June 30, 1985. The two appellate courts and clerks' offices are funded by two programs. Another program pays the salaries and official travel costs for the circuit court judges. The largest program is the state-funded District Court which expended \$31,151,054, but brought in general revenue of \$34,497,821 in fiscal 1985. The Maryland

Judicial Branch Personnel in Profile

Judicial Personnel	217
Nonjudicial Personnel	
Court of Appeals	29
Court of Special Appeals	55
District Court	844
Administrative Office of the Courts	92
Court Related Offices	31
(Includes Staff to State Board of Law Examiners, Standing Committee on Rules of Practice and Procedure, State Law Library, Attorney Grievance Commission and State Reporter)	
Clerk's Offices—Circuit Courts	1,099
Circuit Courts—Local Funding	683
	<u>3,050</u>





State funded portion of judicial expenditures (shown as solid area) as a percentage of total state expenditures in Fiscal 1985

State Funded Judicial Budget

Revenues*

Program	Actual FY 1983	Actual FY 1984	Actual FY 1985
Court of Appeals	\$ 32,499	\$ 35,257	\$ 56,408
Court of Special Appeals	41,651	44,770	56,415
State Board of Law Examiners	207,960	266,445	300,905
District Court**	33,016,438	32,714,383	34,497,821
TOTAL	\$33,298,548	\$33,060,855	\$34,911,549

*Revenues come from filing fees, fines, bail forfeitures and court costs remitted to the State's general fund and are not available to offset expenditures except for the special procedures concerning the payments to various sheriffs for service process.

**This is net revenue. The District Court expended \$1,336,302 in payments to various sheriffs for serving process. No funds were appropriated for this expenditure which was charged directly against revenues.

Expenditures*

Program	Actual FY 1983	Actual FY 1984	Actual FY 1985
Court of Appeals	\$ 1,082,510	\$ 1,147,976	\$ 1,513,844
Court of Special Appeals	1,867,755	2,005,440	2,787,737
Circuit Courts	6,085,433	6,192,000	10,470,180
District Court	22,898,919	23,221,577	31,151,054
Maryland Judicial Conference	64,742	69,081	75,365
Administrative Office of the Courts	1,185,068	1,052,809	1,280,621
Court Related Agencies	446,014	524,126	564,155
Maryland State Law Library	269,036	288,127	365,035
Judicial Data Processing	3,183,342	3,665,516	4,730,127
TOTAL	\$37,082,819	\$38,166,652	\$52,938,118

*Expenditures are paid from annual appropriations by the legislature to the judiciary budget.

Judicial Conference contains funds for continuing judicial education and conference activities. Remaining programs provide funds for the Administrative Office of the Courts, the Maryland State Law Library, the Standing Committee on Rules of Practice and Procedure, the State Board of Law Examiners, the State Reporter, and the Commission on Judicial Disabilities.

The Attorney Grievance Commission and the Clients' Security Trust Fund are supported by assessments paid by lawyers entitled to practice law in Maryland. These supporting funds are not included in the judicial budget.

The figures in the table show the state-funded judicial revenues and expenditures for fiscal 1985. The court-related revenue of \$34,911,549 is remitted to the State's general fund and cannot be used to offset expenditures.

The total state budget was \$6.9 billion in fiscal 1985. The illustration reflects that the state-funded judicial budget consumes but a tiny fraction of the entire state budget, approximately eight-tenths of one percent.

Operating costs for the clerks' offices of the circuit courts are paid from filing fees, court costs, and commissions collected by these offices. Any deficiency is paid by the State from a fund maintained by the State Comptroller and from a general fund appropriation. Expenses for fiscal 1985 were approximately \$26,217,236. The fees and commissions totaled \$26,010,792, resulting in a net deficiency of \$206,444. Twelve of the 24 clerks' offices ended the year with a surplus, but this reverts to the general fund and cannot be used to offset deficits occurring in the other 12 offices. The net deficiency figure includes the surplus counties. However, the gross deficiency paid by the Comptroller, before subtracting surplus, was approximately \$3,914,556 in fiscal 1985, compared to approximately \$4.5 million in fiscal 1984.

The reason for the deficiency is that court-related costs and fees always fall short of expenses to operate these courts. Contributing to the size of the deficiency are certain functions in the Circuit Court for Baltimore City which bring in no offsetting revenue.

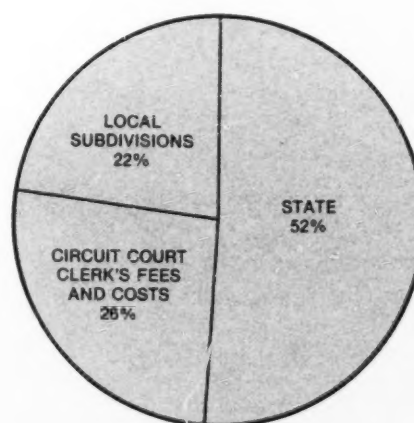
In the 1985 legislative session, considerable legislative activity focused on the size of the clerks' deficiencies. Efforts to enact legislation that would reduce the deficiencies were partially successful. The Pre-Trial Release Services Division of the Circuit Court for Baltimore City, a nonrevenue producing function, was transferred to the Maryland Division of Parole and Probation, amounting to a cost of slightly over \$1 million. Although the cost will be picked up by the Division of Parole and Probation, the clerk's deficiency will not be reduced until fiscal 1986. On the other hand, efforts to increase noncourt-related revenue by establishing uniform commission percentages, to be retained by the clerks, were defeated.

During the 1985 legislative session, a significant step was taken to change the whole structure of fund-

ing for the clerks' offices of the circuit courts by making these offices fully state funded, with all revenue being remitted to the State's general fund. This will require a constitutional amendment which, although considered this year, will be reintroduced in the 1986 legislative session, and if passed, will be placed on the ballot for the November 1986 election. If ratified by the voters, it would become fully effective in fiscal 1988.

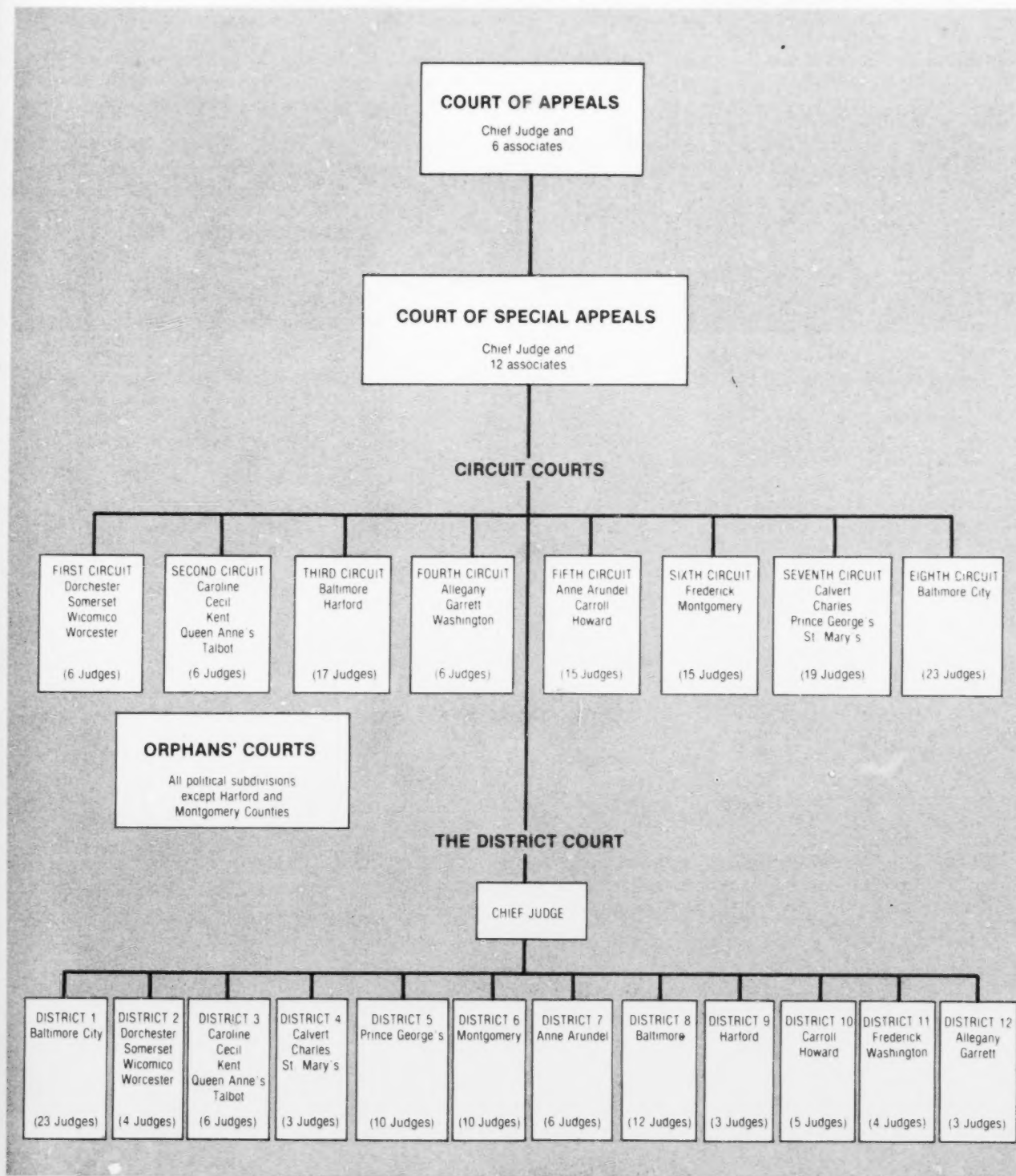
Other circuit court costs are funded locally by Maryland's 23 counties and Baltimore City. In fiscal 1985, the appropriations by the local subdivisions were approximately \$22.4 million. Court-related revenues collected by the circuit court from sources other than fines, forfeitures, and appearance fees are minimal. This money comes from such sources as fees and charges in domestic relations matters and service charges in collecting nonsupport. Fines, forfeitures, and certain appearance fees are returned to the subdivisions. That sum was approximately two million dollars in fiscal 1985.

The chart illustrating the contributions by the State, the clerks' offices, and the local subdivisions to support the judicial branch of government, shows that the state portion accounts for approximately 52 percent of all costs, while the local subdivisions and the clerks' offices account for 22 and 26 percent respectively.



Source of funding to support the judicial branch of government

THE MARYLAND JUDICIAL SYSTEM



The Maryland Courts

The Court of Appeals

The Court of Appeals of Maryland is the highest tribunal in the State of Maryland and was created by the Constitution of 1776. In the early years of its existence, the Court met at various locations within the State, but since 1851 has sat only in Annapolis.

The Court is presently composed of seven members, one from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). Members of the Court, after initial appointment by the Governor, and confirmation by the Senate, run for office on their records, without opposition. If the voters reject the retention in office of a judge, or if the vote is tied, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge is retained in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland judicial system.

By legislation effective January 1, 1975, the Court of Appeals hears cases almost exclusively by way of certiorari. As a result, its formerly excessive caseload has been reduced to a manageable level so as to allow it to devote its efforts to the most important and far-reaching decisions.

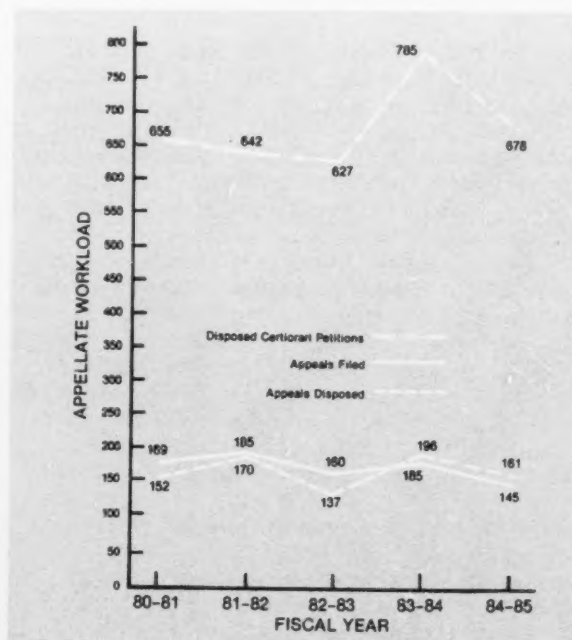
At present the Court may review a case decided by the Court of Special Appeals or may bring up for review cases filed in that court before they are decided there. The Court of Appeals may also review certain decisions rendered at the circuit court level if those courts have acted in an appellate capacity with respect to an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice and procedure, which have the force of law. It admits persons to the practice of law, reviews recommendations of the State Board of Law Examiners and conducts disciplinary proceedings involving members of the bench and bar. The Court of Appeals may also decide questions of law certified for review by federal or other state appellate courts.

Matters filed for the September 1984 docket formed the incoming workload of the Court of Appeals for fiscal year 1985. Filings received from March 1 through February 28 were entered on the September Term docket for argument during the period from the second Monday in September continuing until the beginning of the next term. In this report, filings are

counted by Term, March 1 through February 28, and dispositions by fiscal year, July 1 through June 30.

For the September 1984 Term, 920 filings came into the Court. These included: 707 petitions for certiorari; 157 regular cases; 31 attorney discipline proceedings; and 25 miscellaneous appeals, of which six were bar admission proceedings regarding candidates for the bar and five were certified questions of law from the United States District Court. Dispositions for fiscal year 1985 totaled 910, including: 678 petitions for certiorari; 161 regular cases; 34 attorney discipline proceedings; 37 miscellaneous appeals, of which seven were bar admissions proceedings, and five were certified questions of law. In addition to hearing attorney discipline cases, during fiscal 1985, the Court of Appeals admitted 1,266 persons to the practice of law, including 176 attorneys from other jurisdictions.

In any case or proceeding pending in or decided by the Court of Special Appeals upon appeal from the



Court of Appeals—Appeals actually filed and terminated within fiscal year

circuit court or an orphans' court, a party may file in the Court of Appeals a petition for certiorari to review the case or proceeding. The Court grants those writs that it finds "desirable and in the public interest."

The Court may also grant certiorari under certain circumstances in District Court appeals cases, after the circuit court has heard the initial appeal. During fiscal year 1985, the Court of Appeals granted 90 (13.3 percent) of the 678 petitions considered by the Court. Approximately 52 percent of these petitions were criminal cases.

Once certiorari was granted, cases were placed on the regular docket. On its own motion, the Court can also add cases to its regular docket from cases pending in the Court of Special Appeals. The Court identifies cases suitable for its consideration from a monthly review of appellants' briefs in the intermediate court. For the 1984 Term, 157 cases were docketed. Of these, 75 were criminal cases and 82 were civil (law, equity or juvenile). Geographically, 47 cases (29.9 percent) came from Baltimore City, 68 (43.3 percent) came from the four large suburban counties, and the remaining 42 (26.8 percent) came from the other counties. Of the large counties, the most cases, 26, came from Prince George's County, followed closely by Montgomery County with 24 cases, Baltimore County with 10 cases, and 8 regular docket cases from Anne Arundel County.

The Court of Appeals disposed of 161 cases on the regular docket during fiscal 1985. Of these, five were from the 1985 Term, 84 were from the 1984 Term, 61 from the 1983 Term, and 11 from the 1982 Term. Pending before the Court as of the end of fiscal 1985 were 108 cases, 18 less than the number of pending cases at the same time last year. From the 1984 docket, 49 cases were pending, in addition to 47 cases which were filed recently on the 1985 docket to be heard during the September 1985 Term. Cases disposed within fiscal 1985 took an average of 3.8 months from the time certiorari was granted until argument and from argument to decision, the time period was 6.5 months. The Court filed a total of 134 majority opinions in fiscal 1985, 11 of which were per curiam. It also filed eight dissenting opinions, three concurring opinions, and two dissenting in part and concurring in part.

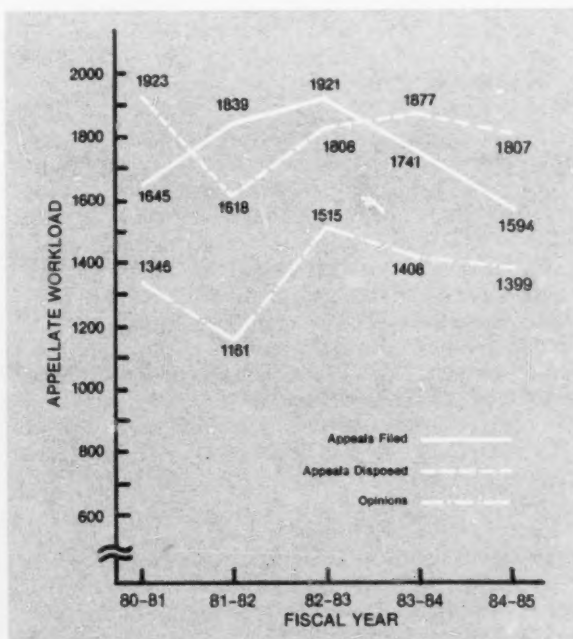
Of the 161 dispositions, 65 (40.4 percent) were criminal cases, 95 (59 percent) were civil cases, and only 1 (0.6 percent) addressed a juvenile case. As to the type of disposition, 65 affirmed the lower court, 54 reversed, and 11 were vacated and remanded to the lower court. Three cases each were either dismissed with opinion or remanded without affirmance or dismissal, 13 decisions were affirmed in part and reversed in part, 11 were either dismissed without opinions or dismissed prior to argument or submission, and one was transferred to the Court of Special Appeals. Overall, the balance was about equal between cases affirmed or dismissed and cases reversed or remanded.

The Court of Special Appeals

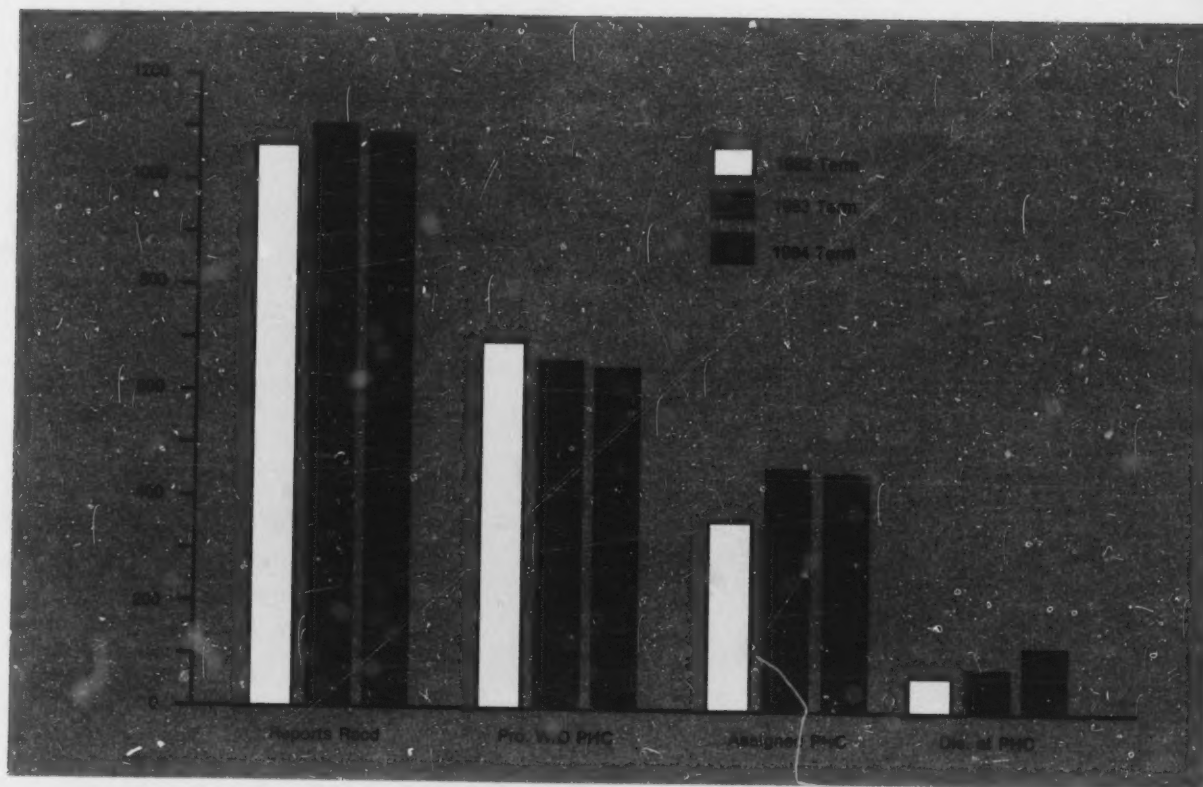
The Court of Special Appeals is Maryland's intermediate appellate court. It was created in 1966 as the result of a rapidly growing caseload in the Court of Appeals which had caused that Court to develop a substantial backlog.

The Court of Special Appeals sits in Annapolis, and, although it was originally composed of five judges, it now consists of thirteen members. One member of the Court is elected from each of the first five Appellate Judicial Circuits while two members are elected from the Sixth Appellate Judicial Circuit. The remaining six judges are elected from the State at large. Members of the Court of Special Appeals are initially appointed by the Governor, confirmed by the Senate and thereafter run on their records, without formal opposition, and are elected to a ten-year term of office in the same manner as are members of the Court of Appeals. The Chief Judge of the Court of Special Appeals is designated by the Governor.

The Court of Special Appeals, except as otherwise provided by law, has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order or other action of a circuit court and generally hears cases appealed as of right from the circuit courts. Judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc

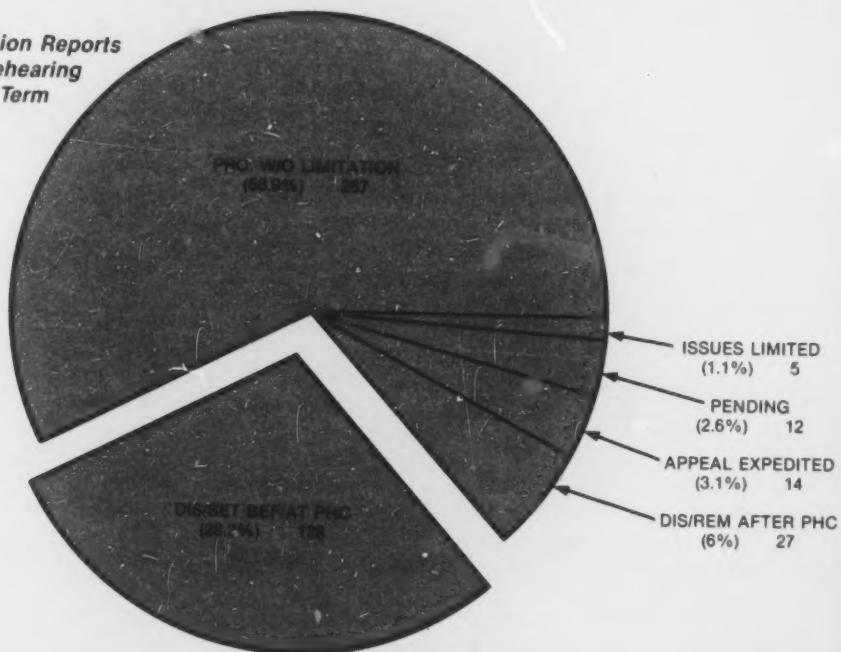


Court of Special Appeals—Appeals actually filed and terminated within fiscal year



**Prehearing Conference Procedure
Court of Special Appeals**

**Disposition of Information Reports
Assigned for Prehearing
Conference—1984 Term**



may be ordered in any case by a majority of the incumbent judges of the Court. The Court also considers applications for leave to appeal in such areas as post conviction, *habeas corpus* matters involving denial of or excessive bail, inmate grievances, and from sentences entered upon guilty pleas.

As in the Court of Appeals, matters filed in the Court of Special Appeals for the September 1984 docket formed the incoming workload of the Court of Special Appeals for fiscal year 1985. Filings received from March 1 through February 28 were entered on the September Term docket for argument during the period from the second Monday in September through the end of the following June. In this report, filings are counted by Term, March 1 through February 28, and dispositions by fiscal year, July 1 through June 30.

Following the downward trend in caseload of the previous year, the Court of Special Appeals received 1,642 cases on the regular docket for the September 1984 Term, a reduction of 135 cases (7.6 percent). The majority of filings, 891 (54.3 percent), were civil cases. There were 751 criminal cases which accounted for the decrease in the total number of cases. This has occurred following the adoption, effective July 1, 1983, of §12-302 of the Courts Article and Maryland Rule 1096, removing the right of direct appeal to the Court from a guilty plea. Under the new requirements, those appealing from a guilty plea must first file an application for leave to appeal. In the civil area, the Court has since the 1980 Term used the procedure of the prehearing conference to identify cases suitable for resolution by the parties. Of 1,087 information reports received during the 1984 Term, identifying the noting of appeals in the circuit courts, the Court assigned 453 (41.7 percent) for prehearing conference. Over one-third of the cases assigned to prehearing conferences resulted in the reduction of the regular docket workload. Directly, 128 cases were dismissed or settled before, at, or as a result of the conference. Issues were limited in another five cases, and 14 cases proceeded with expedited appeals. A further 27 cases were dismissed or remanded after the prehearing conference. By clarifying the issues and bringing the parties together, the prehearing conference procedure saves effort for the Court and appeal costs for the litigants.

Geographically, Baltimore City contributed the largest number of appeals, 476 (29 percent). The large counties sent 781 appeals (47.6 percent). Of these, Montgomery County sent the most, 248 (15.1 percent), followed by Prince George's County, with 207 (12.6 percent). Baltimore County contributed 197 (12 percent), and Anne Arundel County sent 129 (7.9 percent). The proportionate contribution from each appellate circuit followed closely that of the large counties. The circuit court cases tried generated appeals at the rate of ten percent, calculated as the ratio of 1984 Term regular docket appeals to fiscal year 1984 trials.

Of the 1,807 cases on the regular docket disposed by the Court of Special Appeals during fiscal year

1985, 1,493 (82.6 percent) were from the 1984 Term docket. A further 247 cases (13.7 percent) from the 1983 docket were concluded as well, plus 67 cases (3.7 percent) from the 1985 docket. On June 30, 1985, of the 531 cases pending, the majority, 458 (86.3 percent), were from the 1985 docket in the ordinary course of being scheduled for the current term. Only 73 cases (13.7 percent of all pending) remained undecided from the 1984 Term. These generally were cases argued at the end of the fiscal year awaiting completion of opinions. No cases remained from earlier dockets. These figures depict the Court successfully keeping current with its large caseload. The cases disposed during fiscal 1985 were argued or disposed before argument in an average of 4.8 months. Those argued were decided in an average of 1.0 month from argument.

A majority of the dispositions of the Court of Special Appeals were affirmances of the lower courts. These numbered 1,032 (57.1 percent). While 868 (48.0 percent), barely half, of the disposed cases were criminal matters, 634 (61.4 percent), nearly two-thirds, of the affirmances were for criminal case decisions. Dismissals accounted for 358, or one-fifth of all dispositions. The proportion of direct reversals, including full and partial reversals, was about 23 percent of civil cases, but 14 percent of juvenile and criminal. While 64 cases (3.5 percent) were transferred to the Court of Appeals, only six (0.7 percent) of criminal appeals were transferred.

In addition to the regular appeals, the Court of Special Appeals also disposed of 192 cases on the post-conviction and miscellaneous dockets during fiscal year 1985. Of 144 post-conviction dispositions, the Court denied applications for leave to appeal in 109 cases, granted 12, remanded two, and dismissed 21. Of two Inmate Grievance Commission cases, the Court denied one application for leave to appeal and remanded the other. Of 46 other dispositions from the miscellaneous docket, including *habeas corpus*/bail cases and motions for stays of execution of orders pending appeals, 31 were denied, five granted, nine dismissed, and one case was remanded.

The Circuit Courts

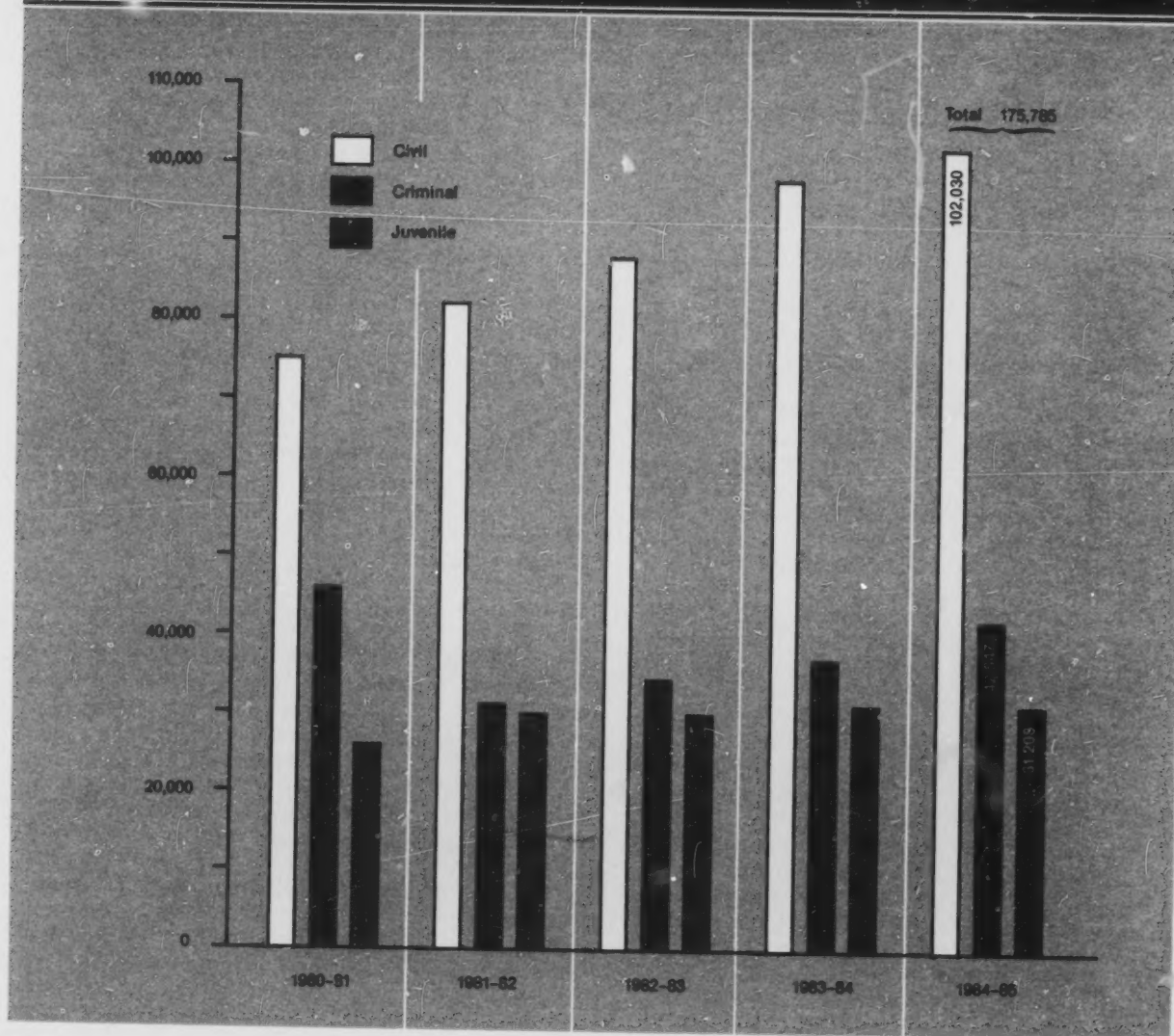
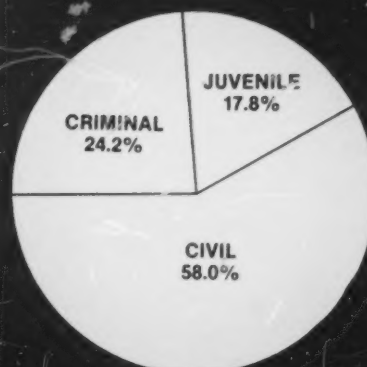
The circuit courts are the highest common law and equity courts of record exercising original jurisdiction within the State. Each has full common law and equity powers and jurisdiction in all civil and criminal cases within its county, and all the additional powers and jurisdiction conferred by the Constitution and by law, except where by law jurisdiction has been limited or conferred upon another tribunal.

In each county of the State, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad, but generally it handles the major civil cases and the more serious criminal matters. The circuit courts also decide appeals from the

Circuit Court—Filings by Fiscal Year

	1980-81	1981-82	1982-83	1983-84	1984-85
Filings	146,768	141,958	155,278	165,169	175,785
Terminations	124,787	128,411	129,198	150,913	155,397
Includes Montgomery County Juvenile Causes					

Percentage breakdown of filings



District Court and from certain administrative agencies.

These courts are grouped into eight geographical circuits. Each of the first seven contains two or more counties. The Eighth Judicial Circuit consists of Baltimore City and as of January 1, 1983, the former Supreme Bench was consolidated into the Circuit Court for Baltimore City.

As of July 1, 1984, there were 107 circuit court judges with at least one judge for each county and 23 in Baltimore City. Unlike the other three levels of courts in Maryland, there is no chief judge for the circuit courts. There are eight circuit court administrative judges appointed by the Chief Judge of the Court of Appeals who perform administrative duties in each of their respective circuits. They are assisted by county administrative judges.

Each circuit judge is initially appointed to office by the Governor and must stand for election at the next general election following by at least one year the vacancy the judge was appointed to fill. The judge may be opposed by one or more members of the bar, with the successful candidate being elected to a fifteen-year term of office.

Circuit court case filings showed an increase in fiscal 1985 over fiscal 1984. There were 175,785 filings in fiscal 1985 compared to 165,169 in fiscal 1984, an increase of 10,616 or 6.4 percent. Increases were reported in all three categories. Civil filings increased by 4.5 percent, criminal by 15.8 percent, and juvenile filings increased by a slight 1.5 percent.

Civil case filings, which represented 58.0 percent of all filings, increased from 97,674 in fiscal 1984 to 102,030 in fiscal 1985. In fiscal 1985, 77,194 or 75.7 percent of the total number of civil case filings were reported in the five major jurisdictions of Anne Arundel, Baltimore, Montgomery, and Prince George's Counties and Baltimore City. In relation to the number of civil filings reported last year, this represents an increase of 1.1 percent. Increases were also reported in Anne Arundel County, up 16.0 percent; Howard County, up 14.8 percent; Washington County, up 14.1 percent; Charles County, up 9.9 percent; and Baltimore City, up 6.9 percent. The case types that rose the most significantly in fiscal 1985 were unreported law, contested confessed judgment, other domestic relations, and the unreported category of cases.

The Circuit Court for Montgomery County reported that, in exercising jurisdiction formerly held by an orphans' court, it conducted 150 hearings and signed 2,255 orders during fiscal 1985. The Circuit Court for Harford County exercises the same jurisdiction and recorded 15 hearings and signed 368 orders.

Criminal case filings increased from 36,738 in fiscal 1984 to 42,547 in fiscal 1985. They represented 24.2 percent of all filings reported for fiscal 1985. Most of the increase in this category is attributable to the increased number of jury trials prayed. There were 20,446 requests for jury trials in fiscal 1985 compared

to 14,062 in fiscal 1984, an increase of 45.4 percent. The majority of the criminal filings, 33,476 or 78.7 percent, continue to come from the four major urban counties and Baltimore City.

Juvenile causes accounted for 17.8 percent of the total filings in fiscal 1985 with 31,208 filings being reported. That figure also includes 3,821 juvenile causes filed at the District Court level in Montgomery County. There were only 451 more juvenile filings in fiscal 1985 than in fiscal 1984, from 30,757 in fiscal 1984 to 31,208 in fiscal 1985. As true with other case types, the four major urban counties and Baltimore City accounted for the majority of the filings with 25,554 or 81.9 percent.

Terminations increased in the criminal and juvenile categories but decreased in the civil category. There were 155,397 terminations reported in fiscal 1985 compared to 150,913 for fiscal 1984, an increase of 3.0 percent. Criminal terminations increased by 14.7 percent (39,533 in fiscal 1985 as opposed to 34,458 in fiscal 1984), juvenile terminations increased by 10.4 percent (30,058 in fiscal 1985—which includes 3,971 juvenile causes terminated at the District Court level in Montgomery County—compared to 27,237 in fiscal 1984), and civil terminations decreased by 3.8 percent (85,806 in fiscal 1985 compared to 89,218 in fiscal 1984).

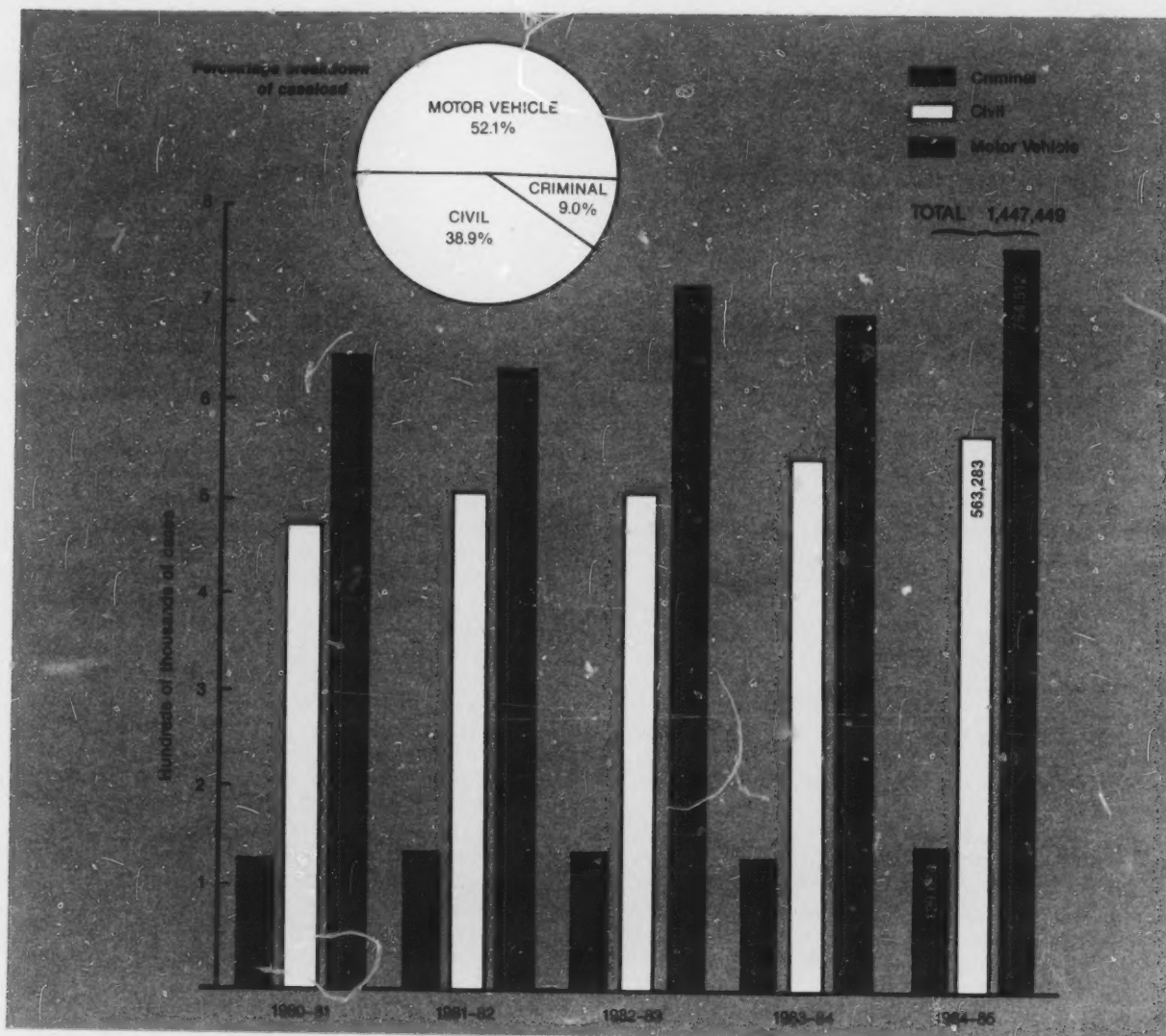
The District Court

The District Court of Maryland was created as the result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969.

The District Court began operating on July 5, 1971, and replaced an existing miscellaneous system of trial magistrates, people's and municipal courts. It is a court of record, is entirely State funded and has statewide jurisdiction. District Court judges are appointed by the Governor to ten-year terms, subject to Senate confirmation. They do not stand for election. The first Chief Judge of the District Court was designated by the Governor, but all subsequent Chief Judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into twelve geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision.

As of July 1, 1984, there were 90 judges on the Court, including the Chief Judge. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. A chief clerk of the Court is appointed by the Chief Judge. Administrative clerks for each district are also appointed as are commissioners who perform such duties as issuing arrest warrants and setting bail or collateral.

The District Court has jurisdiction in both the criminal, including motor vehicle, and civil areas. It



District Court—Caseload by Fiscal Year

has little equity jurisdiction and has jurisdiction over juvenile causes only in Montgomery County. The exclusive jurisdiction of the District Court generally includes all landlord/tenant cases; replevin actions; motor vehicle violations; criminal cases if the penalty is less than three years imprisonment or does not exceed a fine of \$2,500, or both; and civil cases involving amounts not exceeding \$2,500. It has concurrent jurisdiction with the circuit courts in civil cases over \$2,500 to not exceeding \$10,000; and concurrent jurisdiction in misdemeanors and certain enumerated felonies. Since there are no juries provided in the District Court, a person entitled to and electing a jury trial must proceed to the circuit court.

The District Court processed 754,512 motor vehicle cases, 129,654 criminal cases, and 563,283 civil cases in fiscal 1985. The District Court for Montgomery County also reported an additional 3,821 juvenile filings.

Statewide, 214,503 motor vehicle cases went to trial, with the remaining 540,009 being disposed of without trial by payment or forfeiture. Baltimore County recorded the most motor vehicle trials, 56,677, followed by Baltimore City with 31,562 and Montgomery County with 25,835.

Over 37 percent of the District Court criminal caseload was processed in Baltimore City. The four largest counties accounted for 41.2 percent (53,429

cases) of the criminal workload, with Prince George's having the highest activity, followed by Baltimore, Montgomery, and Anne Arundel Counties.

Filings in the civil area increased by 2.6 percent from fiscal 1984 to fiscal 1985. Baltimore City, as usual, accounted for the majority of civil filings, 215,943, followed by Prince George's and Baltimore Counties with 121,770 and 80,685, respectively.

Trends

Again in fiscal 1985, the Maryland judiciary witnessed a significant growth in caseload, a trend which was established in the seventies and has continued through the mid-eighties. This trend has placed a great burden on judicial and court-related resources for all court levels in Maryland.

Court of Appeals

The Court of Appeals, for example, again reported a high number of filings for the September 1984 Term. During this period, 920 filings were reported including 707 certiorari petitions and 157 regular docket appeals. This continued the pattern which developed during the September 1981 Term when the Court recorded a growth in the overall number of filings. Approximately 864 filings were reported in that year, followed by 877 filings in the September Term of 1982 and a record number of 981 filings in the September Term of 1983. At the same time, more than 600 certiorari petitions were disposed of for the fifth consecutive year. During fiscal year 1985, the Court disposed of the second highest number of certiorari petitions (678) since the Court began the certiorari review process a little over ten years ago.

While this data illustrates the significant workload of the Court of Appeals, it does not depict the extensive amount of time and effort required to consider the complex and lengthy litigation which is coming before the Court with increasing regularity. It is not unreasonable to expect that with the large number of death penalty cases and other complicated matters involving social issues, the Court can anticipate continued demands upon its time and workload within the next several years.

Court of Special Appeals

In the Court of Special Appeals, the workload pressures are equally demanding and it is this court which perhaps best typifies the volume of litigation facing American appellate courts today. Beginning in fiscal year 1980, this court experienced a significant expansion in the number of appeals filed and no single factor could be identified as contributing to this growth. For example, between the September 1978 and 1979 Terms, an 18.0 percent increase was recorded in the number of appeals filed on the regular docket in the Court of Special Appeals (1,416 appeals filed in 1978 compared to 1,671 in 1979). Another increase was

reported between the September 1981 and 1982 Terms when the regular docket grew nearly 13 percent from 1,742 appeals filed in 1981 to 1,968 appeals filed in 1982. (See graph in Appendix entitled CSA-1.) Reversing this upward climb in the number of appeals filed on the regular docket, the Court of Special Appeals received 1,777 cases during the September 1983 Term and during the September 1984 Term, 1,642 cases.

Most of this change in caseload is due to the fluctuation in the number of criminal cases filed in the Court of Special Appeals over the past five years. During the September 1982 Term, for example, 1,107 criminal cases were filed, the highest number of criminal cases ever filed with the Court. During this past term (1984), 751 criminal filings were received, the lowest amount reported since the sudden increase between the September 1978 and 1979 Terms. (See graph CSA-1 in Appendix.) Civil filings during this period have remained fairly constant, averaging between 850 and 900 case filings yearly.

The most important reason for the reduction in the number of criminal regular docket appeals has been a law enacted in 1983 (Chapter 295 of the 1983 Acts) aimed at relieving the caseload. Under the requirements of this law (see also Maryland Rule 1096), cases involving a review of a judgment following a plea of guilty are discretionary appeals rather than as a matter-of-right. Individuals appealing from a guilty plea must file an application for leave to appeal. If the Court grants the request, it is then transferred to the regular docket for appeal purposes. This change in procedure has contributed significantly to the reduction in the number of regular appeals and, at the same time, increased the number of applications for leave to appeal. In fiscal 1983, there were 128 applications for leave to appeal and other miscellaneous cases disposed by the Court of Special Appeals compared to 308 cases disposed during fiscal year 1984 and 192 cases in fiscal 1985.

The Court of Special Appeals has also adopted several innovative techniques to keep current its expanding workload. An expedited appeal process was initiated to aid the Court, and ultimately the litigants, in identifying and processing some cases in a more rapid manner (see Maryland Rule 1029). A prehearing conference procedure was implemented four years ago. The objective is to settle civil cases or limit issues prior to submission of brief or argument. Both changes help the Court dispose of its workload.

Circuit Courts

In the circuit courts, 175,785 filings were reported in fiscal 1985. This exceeded caseload forecasts for that court level and represented an increase of 10,000 additional filings for the second consecutive year. Increases were reported in all three functional categories: civil filings, 4.5 percent; criminal filings, 15.8 percent; and juvenile filings, 1.5 percent. Domestic relations, contested confessed judgments, and un-

reported law increased by the greatest percentage on the civil side while jury trial requests in misdemeanor cases increased the most in the criminal portion of the circuit court.

With respect to the latter, the General Assembly in 1981 passed a law known as the Gerstung law, Chapter 608, Acts of 1981. The legislative intent was to reduce the number of demands made for jury trials in the District Court. As a result, jury trial prayers dropped by one-half after the first year. (See table.) Then, in fiscal 1983, two years after passage of the Gerstung law, jury trial prayers increased close to the level where they were prior to the enactment of Chapter 608. The impact of this law was further questioned in April of 1984 when the Court of Appeals ruled as unconstitutional the denial of a jury trial for a theft offense carrying a penalty of 18 months imprisonment. (See *Kawamura v. State*, 299 Md. 276, 473 A.2d 438 (1984).) In fiscal 1984, jury trial prayers exceeded the 1981 level, thus all but eliminating the effect of the Gerstung law.

In fiscal 1985, jury trial requests rose to 19,180 filings. This is 6,890 additional filings (56 percent) since fiscal 1981 and 5,987 additional filings (45 percent) over the past fiscal year. It is clear that if the present trend continues, the circuit court will be inundated with criminal cases from the District Court.

District Court

In terms of workload, the District Court recorded 1,447,449 total filings in fiscal 1985. It is the largest number of cases in the Court's thirteen-year history. For the fifth straight year, the District Court processed over one and a quarter million cases. All three major case categories increased in fiscal year 1985 and the court realized a 5.6 percent increase in overall workload. Motor vehicle cases increased the greatest

(8.7 percent) from 693,570 cases processed in fiscal year 1984 to 754,512 in fiscal year 1985. Civil cases filed increased the next greatest (2.4 percent) from 549,068 in fiscal year 1984 to 563,283 in fiscal year 1985, followed by criminal cases processed, increasing 2.1 percent (126,968 cases processed in fiscal year 1984 compared to 129,654 in fiscal year 1985).

Of the three major case categories, civil caseload grew uniformly over the past five years, showing an average annual increase of 25,000 to 30,000 cases. Criminal and motor vehicle case categories generally fluctuated more frequently. In fiscal 1985, while the District Court experienced a growth of over 60,000 additional motor vehicle cases processed, the court actually tried only 10,000 additional motor vehicle cases—214,503 cases tried in fiscal year 1985 compared to 204,007 in fiscal year 1984. Both of the increases, however, will impact judicial and nonjudicial resources.

Montgomery County has the highest motor vehicle volume, accounting for approximately 17.6 percent of the State caseload. Baltimore County was next with 17.2 percent; followed by Prince George's County, 13.8 percent; Baltimore City, 8.7 percent; and Anne Arundel County with 7.3 percent. However, in terms of cases tried, which places a greater demand upon judicial resources, Baltimore County ranks first and accounts for a fourth (26.4 percent) of all motor vehicle cases contested in the State in fiscal 1985.

Landlord and tenant cases constituted 73.3 percent of the District Court's civil caseload. This category rose in fiscal 1985 by nearly 20,000 filings statewide, while contested cases climbed by approximately 1,000 cases. Baltimore City and Prince George's County again disposed of the greatest volume of landlord/tenant matters, accounting for 67.2 percent of the court's entire civil caseload.

Jury Trial Prayers Pre- and Post-Gerstung Law (Chapter 608)

	Pre- Ch. 608	Post-Ch. 608			
	FY-81	FY-82	FY-83	FY-84	FY-85
Baltimore City	5,926	2,034	3,209	4,128	5,948
Anne Arundel County	503	381	392	459	720
Baltimore County	1,312	1,050	1,424	1,513	2,245
Montgomery County	636	489	1,223	1,924	2,631
Prince George's County	952	895	1,583	2,755	4,045
All Other Counties	2,962	1,399	1,930	2,414	3,508
	12,290	6,248	9,761	13,193	19,180

Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

Judicial Administration

Administrative Office of the Courts

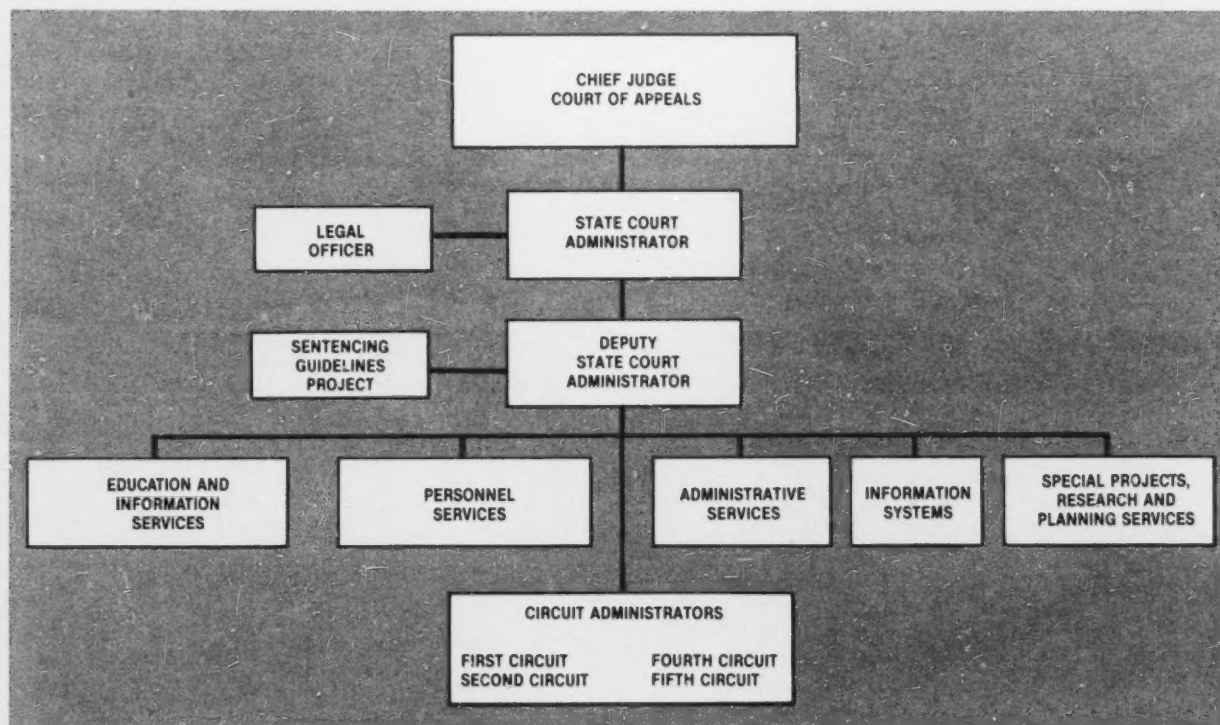
Forty years ago the people of Maryland recognized the need for administrative direction to the courts when they ratified Article IV, §18(b), of the Constitution, providing that the Chief Judge of the Court of Appeals is the "administrative head of the judicial system of the State."

Thirty years ago this year, the Maryland General Assembly took initial steps to provide the professional administrative staff necessary to assist the Chief Judge in carrying out the administrative responsibilities under the Constitution. The Administrative Office of the Courts was established in 1955 under the direction of the State Court Administrator, who is appointed by and serves at the pleasure of the Chief Judge of the Court of Appeals, as set forth in §13-101 of the Courts Article.

The primary function of the State Court Administrator and the Administrative Office of the Courts

is to provide the Chief Judge with information, advice, facilities, and staff to assist in the performance of the Chief Judge's administrative responsibilities. The administrative assignments include research and planning, education of judges and court support personnel, preparation and administration of the judiciary budget, personnel administration, liaison with the legislative and executive branches, and staff support to the Maryland Judicial Conference and the Conference of Circuit Judges. Personnel are also responsible for the complex operation of data processing systems, collection and analysis of statistics and other management information. The office also assists the Chief Judge in the assignment of active and former judges to cope with case backlogs or address shortages of judicial personnel.

What follows are some of the details pertaining to the activities of the Administrative Office of the Courts during the past twelve months.



Administrative Office of the Courts

Judicial Education and Information Services

The Judicial Institute of Maryland presented sixteen programs as part of its 1985 curriculum. Courses available to judges in the Institutes's fall and spring semesters included treatments of civil rights litigation, judicial immunity, contract/torts, medicolegal litigation, judicial writing and evidence.

New trial judges attended an intensive orientation seminar in March of 1985. The newly revised curriculum included topics of evidence, trial procedures, sentencing and rules of procedure. The Institute is planning to expand the present program to encompass three days in 1986.

In addition to the design of continuing judicial education programs, the Board of Directors of the Judicial Institute planned a portion of the 1985 Maryland Judicial Conference which focused on the year's most important appellate decisions.

The Institute's video and tape library continued to be enlarged to address the informational and educational needs of the judiciary. In 1985, the Institute assisted the District Court and the Sentencing Guidelines Unit in producing two videotape presentations dealing with the courts' automated information systems and instructions on sentencing guidelines procedures.

As a supplement to judicial education, the Institute offered a variety of training programs to court support and administrative staffs. The courses concentrated on writing techniques, grammar, interviewing and time management.

In the area of public information, mock trial competitions were held for Maryland high school students. Sixty-six teams from 17 jurisdictions entered the 1985 competition. Forty-seven Maryland judges volunteered to hear the trials in courthouses throughout the State. Crossland High School from Prince George's County was declared the state champion following the finals at the Court of Appeals against Thomas S. Wootton High School from Montgomery County.

The Public Awareness Committee sponsored a program called "In Search of Justice—A View from the Bench" for law day on Maryland Public Television. A panel, representing the four levels of court, included Judges John F. McAuliffe, Charles E. Moylan, Jr., David Ross, and Diane G. Schulte. They discussed the issues of sentencing, search and seizure, self-defense and the use of force.

A brochure about the court system is also in the planning stages. It will contain descriptions about each court, general information and common legal terms. The brochure is intended for the general public and students.

Judicial Information Systems

Fiscal year 1985 was primarily one of systems amplification and consolidation. Most areas of automa-

tion were either strengthened or extended according to the Judicial Master Plan developed the previous year.

The move to new quarters last year alleviated a very pressing space problem. It not only provided much needed room for the expanding systems, programming and data entry staff, but has the capacity to house the planned acquisition of a judicial data center. A good deal of Judicial Information Systems' management effort was exerted over the past year developing plans, providing the necessary justifications, estimating costs, etc., which go into the initial stages of implementing large scale data processing equipment. This effort will continue well into fiscal 1986.

The Maryland Automated Traffic System (MATS) is completely operational throughout the District Court. All court locations are linked via a statewide data communications network to the main data base currently on a large, shared computer facility located in Annapolis.

The Maryland District Court Criminal Case System (MDCCS) also uses the same data communications network to process criminal cases for which it has jurisdiction. A number of system enhancements were made during the past year and will continue through the next fiscal year. Other changes are in the planning stage in anticipation of the transition from a shared system to a judicial data center.

To the extent possible, the data communications network has been converted from an analog to a digital transmission system. As the more advanced method of transmitting data becomes available in the few remaining locations, they will also be added to the system.

The circuit court law and equity divisions were consolidated into a single civil division on July 1, 1984, and the Circuit Statistics and Criminal Reporting System (CSCRS) was expanded and modified to accommodate the changes. All data from both divisions, including data from the previous four years when CSCRS began, have been combined so that current reports and comparative statistics from earlier years can be easily reviewed and analyzed.

Judicial Special Projects, Research, and Planning Services

The Special Projects section meets operational, research, and analytical needs of the State courts and the Administrative Office of the Courts. It exercises planning responsibilities at the request of the Chief Judge of the Court of Appeals.

This section coordinates the nomination and election process of the lawyer members for the nine judicial nominating commissions and also provides staff to the various nominating commissions when a judicial vacancy occurs.

Using suggested guidelines, this unit reviews alcohol treatment and education programs. The results

of such efforts are forwarded to the State Court Administrator for review and approval. The unit maintains a directory of approved programs.

Staff members conduct research and program evaluations throughout the year. These efforts include analysis of: judicial personnel needs, court reporting systems, legislation, caseload, court costs, costs of death penalty trials, fiscal data from circuit courts, and space management reports.

Publications prepared by this unit in fiscal 1985 include *The Judicial Ethics Handbook*, the *Statistical Abstract*, and the *Maryland Trial Judges' Benchbook*.

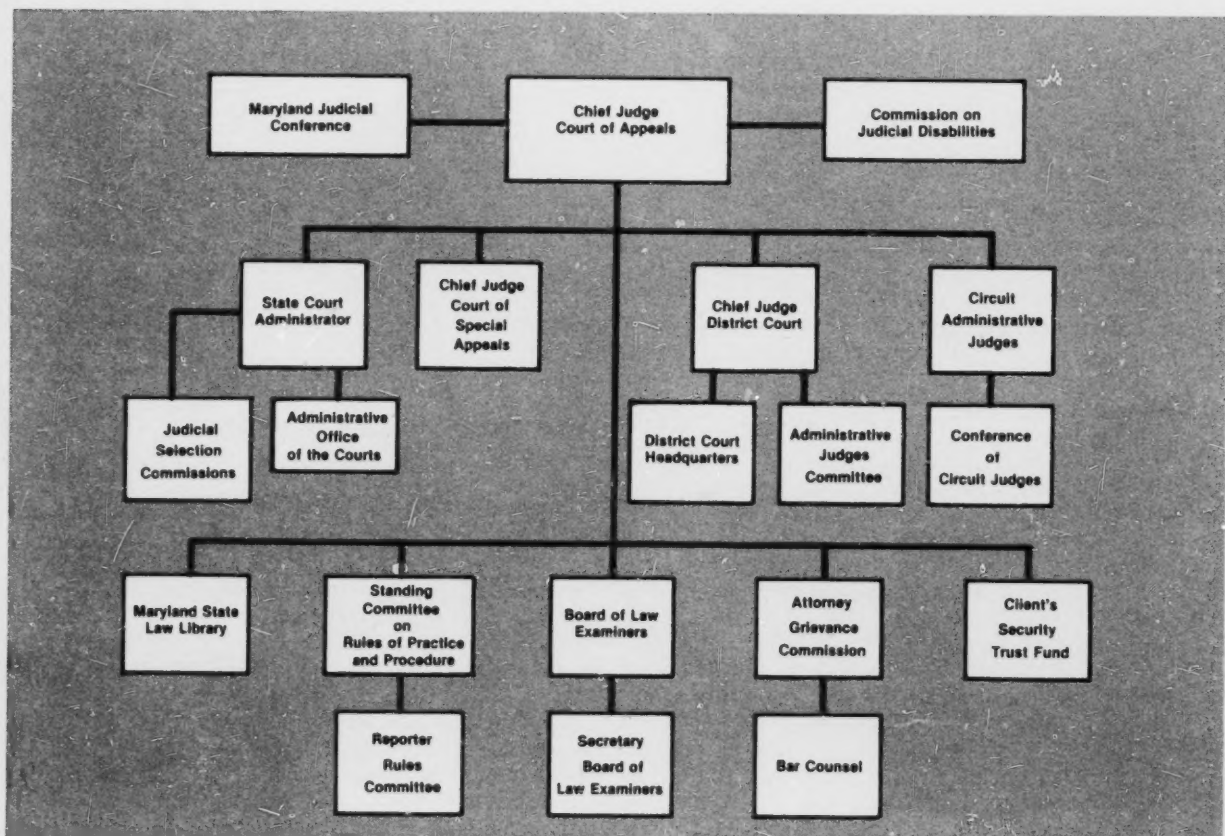
Judicial Administrative Services

The Judicial Administrative Services' office prepares and monitors the annual judiciary budget, excluding the District Court of Maryland. All accounts payable for the judiciary are processed through this office and accounting records for revenues and accounts payable are kept by the staff in cooperation with the General

Accounting Department of the State Comptroller's Office. Payroll activities and the working fund account are also the responsibility of the Judicial Administrative Services staff. Records must be maintained in order for the legislative auditor to perform timely audits on the fiscal activities of the judiciary. On July 1, 1984, the accounting system was converted to the State Comptroller's data processing accounting system.

General supplies and equipment are purchased by this office. Staff also prepare and solicit competitive bids on all major equipment, furniture, and supplies. This section, along with the Department of General Services, insures that the Courts of Appeal building is maintained.

Inventory controls are established for all the furniture and equipment used by the judiciary. Other responsibilities include maintaining lease agreements for all leased property, monitoring the safety and maintenance records of the judiciary automobile fleet, and performing special projects as directed by the Chief Judge of the Court of Appeals.



Administrative Organization

Judicial Personnel Services

The Judicial Personnel Unit continued to work with a contractor in the design of the automated personnel operation to service the Maryland Judiciary for conversion from the Hewlett Packard system to the more advanced and flexible IBM System 36 hardware. The automated system represents an improvement in personnel operations for the judiciary. As a result of automation, Judicial Personnel Services is able to respond to a growing number of requests for information emanating from both internal and external sources such as the Occupational Safety and Health Administration and affirmative action surveys. It provides management with timely information and analyses of accidental injuries and illnesses suffered by employees, the value of accrued annual leave, accurate recording of all types of used leave, and the automatic aging of compensatory leave balances to prevent unauthorized accumulation of such leave.

The improved automation of personnel operations enables the staff to supply financial data with respect to the cost of the various retirement systems for inclusion in budget estimates. In terms of human resource planning, it informs judicial and nonjudicial personnel of the availability of social security and Medicare benefits to those employees approaching age 65.

A corollary of the automated personnel system is the timely production of statistical data for use in the analysis of and development of new affirmative action goals and procedures.

Sentencing Guidelines Project

For most criminal cases originating in the Maryland circuit courts, guidelines are used to provide information for each judge along with a record of all sentences imposed for particular offenses and types of offenders. The guidelines were developed and will be evaluated regularly by the judges in consultation with representatives from other criminal justice and related governmental agencies and the private bar. At the direction of the judicial board, staff monitor the use of guidelines carefully to insure the completeness and accuracy of the data used to review and update the guidelines. When judges sentence, based upon the data, that data should be reliable.

Several efforts have been undertaken to enhance operation of the guidelines system. Board members and staff visit jurisdictions to exchange information with the judges. Chief Judge Murphy has directed that new circuit court judges receive orientation at the sentencing guidelines offices, and training sessions are held there for other guidelines users as well. An instructional videotape has been distributed to each jurisdiction for use by anyone who needs to learn how to use the guidelines. A liaison judge in each circuit provides an unofficial link with the guidelines in his area. As part of an overall review of the guidelines, question-

naires were sent to circuit court judges, attorneys, and probation agents to seek their views about guidelines and improvement of them. A completely revised *Sentencing Guidelines Manual* will be issued in 1986.

Liaison with the Legislative and Executive Branches

The budget is one example of an important area of liaison with both the executive and legislative branches, since judiciary budget requests pass through both and must be given final approval by the latter. In a number of other areas, including the support of or opposition to legislation, the appointment of judges, and criminal justice and other planning, close contact with one or both of the other branches of government is required. On occasion, liaison with local government is also needed. On a day-to-day working level, this liaison is generally supplied by the State Court Administrator and other members of the Administrative Office staff as well as staff members of District Court headquarters. With respect to more fundamental policy issues, including presentation of the State of the Judiciary Message to the General Assembly, the Chief Judge takes an active part. The Chairman of the Conference of Circuit Judges and the Chief Judge of the District Court also participate in liaison activities as appropriate.

Circuit Court Administration

Many of the activities affecting circuit court administration are covered in other sections of this report. Such areas include: the nature and extent of the caseload, additional judgeships, judicial assignment, subjects addressed by the Conference of Circuit Judges, and fiscal problems of the circuit court clerk's offices.

There was considerable legislative activity in the last year concerning the fiscal operation and administration of the circuit court clerks' offices. A "Clerks of the Court Task Force" was appointed by the legislature with representatives from the Senate, the House of Delegates, circuit courts, the State Comptroller's office, and the State Department of Budget and Fiscal Planning. Based on its review, the task force found (1) that the clerks are vital to the operation of the judiciary and that they should be assured adequate funds to support the efficient operations of their offices; (2) that there is significant disparity in functions among clerks. The most costly deviation is the Baltimore City Pretrial Release Unit run through the Clerk of the Circuit Court for Baltimore City; and (3) that the current system of funding clerks has not provided adequate support to some clerks, had led to inappropriate concentration on clerks' unstable revenues in determining funding needs, and has not provided adequate budgetary oversight. The task force recom-

mended two courses of action. One alters the funding basis of clerks' offices and they would no longer be fee offices. The other transfers the Pretrial Release Services Division from the Baltimore City Clerk's office to the Division of Parole and Probation in the Department of Public Safety and Correctional Services. A new funding structure, if ratified by the voters, would become effective in fiscal 1988.

The assignment office is a function of the clerk's office in Prince George's County but, as of October 1, 1985, it will be transferred to the circuit court under the direct control of the administrative judge. Several positions will be shifted from the clerk's office to a county funded and court directed unit. This was the result of legislation enacted by the 1985 General Assembly.

Finally, an additional master was hired by the Prince George's County Circuit Court to hear support collection cases because of the significant increase in the number of these cases being processed by that court. Further, the court directed and controlled non-support collection unit has been transferred into a separate department of the county government effective July 1, 1985.

District Court Administration

by the Chief Judge of the District Court of Maryland
Robert F. Sweeney

An aspect of District Court administration which does not appear to have a counterpart at the circuit court level is the constant juggling of the Court's judicial complement to ensure that there is a presiding judge for each of the 84 courtrooms which are in operation each day.

An example of difficulties in this endeavor is illustrated by a look at the court in Baltimore City. In this, the largest district in the State, there was a 1984 complement of 22 judges for the court's 19 courtrooms. For more than ten years, however, at least one Baltimore City District judge has been on virtual permanent assignment to the Circuit Court in Baltimore City, leaving 21 judges to serve the court. In an average year each of the 19 courts is in session on a total of 246 days, for a total of 4,674 court days. The 21 judges, however, because of annual and personal leave, are available for a total of only 4,536 days, leaving 138 days on which the courts must be staffed by judges from other districts. This same pattern, to a lesser extent, exists in each of the eleven other districts throughout the State.

The problem is greatly compounded by the frequent vacancies that arise in the complement of District Court judges. Of the 79 judges who served on the District Court on its first day, July 5, 1971, only 15 remain in District Court service. In the Court's fourteen-year history there have been seven deaths, 35 retirements or resignations, and 55 appointments to the circuit courts of the State. Experience has shown

that there is an average of three months between the occurrence of a District Court vacancy and the investiture of a new judge. Additionally, although only four or five of the retirements noted above arose because of medical disability, judicial illness is a constant factor in the Court's operation, and it is a rare day on which at least one of the Court's 90 judges is not on sick leave.

It was doubtless in anticipation of these factors that the General Assembly, in implementing legislation for the District Court, gave to the Chief Judge the authority to assign judges from district-to-district throughout the State, and gave to the administrative judge in each district the authority to assign judges from county-to-county within the district. This authority has been heavily utilized from the Court's beginning days, primarily by the assignment of judges from the more rural areas, with lighter caseloads, into the more heavily burdened metropolitan courts. In the opening years of the Court such assignments occurred more than a thousand times a year, but they have lessened in recent years as the caseload in the rural courts has increased. In the last fiscal year, judges were assigned out of district 340 times, for a total of 663 court days.

Fortunately, by virtue of a 1976 amendment to the Constitution of Maryland, the Court is now able to call upon selected retired judges to temporarily return to service for limited periods of time. The authority for such designations is vested in the Chief Judge of the Court of Appeals, upon approval of the majority of the Court. This carefully exercised recall authority, which was utilized in 1984 on 82 occasions, for a total of 202 court days, has proved to be an invaluable tool in permitting the Court to operate with a minimum of cancelled dockets in the face of a constant shortage of judges.

Assignment of Judges

The Chief Judge of the Court of Appeals has the authority to make temporary assignments of active judges to both appellate and trial courts under Article IV, §18(b) of the Maryland Constitution. In addition, pursuant to Article IV, §3A, and §1-302 of the Courts Article, the Chief Judge, with approval of a majority of the judges of the Court of Appeals, recalls former judges to sit in courts throughout the State.

Temporary judicial assignments with active and retired judges continued in fiscal 1985. While §1-302 sets forth certain conditions that limit the extent to which a former judge can be recalled, this reservoir of available judicial manpower has been exceedingly helpful since the legislation was first enacted eight years ago. Using these judges enhances the court's ability to cope with existing caseloads, extended illnesses and judicial vacancies. This is accomplished without calling upon active, full-time judges, and disrupting schedules and delaying case disposition.

In fiscal 1985, the Chief Judge assigned eight active circuit court judges for temporary judicial assignment to the circuit courts other than their own for a total of 41 days. These assignments are made pursuant to a predetermined schedule covering a twelve-month period. The schedule provides the Circuit Administrative Judge with advance notice for the periods for which a particular circuit may be called upon to provide assistance. Also, circuit administrative judges, pursuant to their authority under the Maryland Rules, moved judges within their circuits. Likewise, voluntary exchanges of judges between circuits took place.

Further assistance to the circuit courts was provided by judges of the District Court in fiscal 1985. This assistance consisted of 247 judge days. Included in that figure is 154 judge days provided to the Circuit Court for Baltimore City.

A pool of former judges eligible to be recalled significantly aided the circuit courts throughout the

fiscal year. The Chief Judge of the Court of Appeals, with the approval of the Court, recalled six former circuit court judges, and one former District Court judge to serve in the circuit courts for 239 judge days.

The Chief Judge of the District Court, pursuant to constitutional authority as he pointed out in his report, made many assignments internal to that Court to address unfilled vacancies, backlog, and extended illness.

At the appellate level, maximum use of available judicial manpower continued in fiscal 1985. The Court of Special Appeals' caseload is being addressed by limitations on oral argument, assistance by a central professional staff, and prehearing settlement conferences. Also, the Chief Judge of the Court of Appeals exercised his authority by designating appellate judges to sit in both appellate courts to hear specific cases. Three former appellate judges and one former circuit court judge were recalled to assist both courts for a total of 184 judge days.



Court-Related Units

Board of Law Examiners

In Maryland the various courts were originally authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

The Board and its staff administer bar examinations twice annually during the last weeks of February and July. Each is a two-day examination of not more than twelve hours nor less than nine hours' writing.

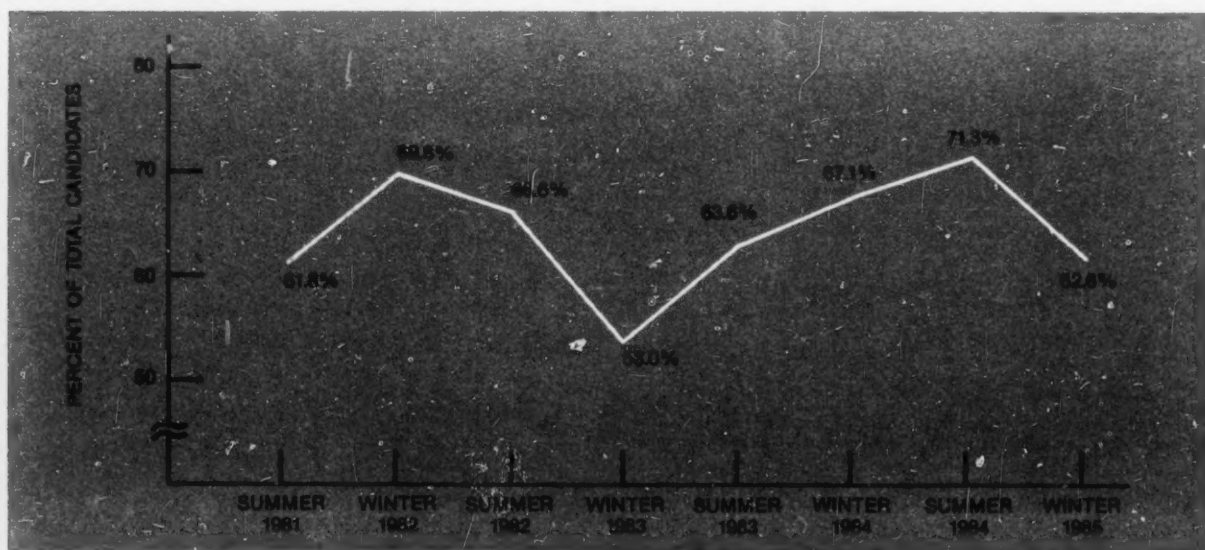
Commencing with the summer 1972 examination and pursuant to rules adopted by the Court of Appeals, the Board adopted, as part of the overall examination, the Multistate Bar Examination. This is the nationally recognized law examination consisting of multiple-choice type questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test now occupies the second day of the examination with the first day devoted to the traditional essay examination, prepared and graded by the Board. The MBE test is now used in forty-eight jurisdictions. It is a six-hour test that covers six subjects: contracts, criminal law, evidence, real property, torts, and constitutional law.

Pursuant to the Rules Governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: agency, business associations, commercial transactions, constitutional law, contract, criminal law and procedure, evidence, Maryland civil procedure, property and torts. Single questions on the essay examinations may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

Maryland does not participate in the administration of the Multistate Professional Responsibility Examination (MPRE) prepared under the direction of the National Conference of Bar Examiners.

Beginning with the July 1983 examination, by amendment to the Rules of the Court of Appeals of Maryland governing admission to the bar, the subject of professional responsibility under the Canons of Ethics, was added to the list of subjects on the Board's essay test.

The results of the examinations given during fiscal 1985 are as follows: a total of 1,076 candidates sat for the July 1984 examination with 767 (71.28 percent) obtaining a passing grade, while 527 sat for the February 1985 examination with 330 (62.61 percent) being successful. Passing percentages for the two previous fiscal years are as follows: July 1982, 66.62 percent and



Ratio (percent) of successful candidates to total candidates taking the bar examination

February 1983, 53.07 percent; July 1983, 63.58 percent; and February 1984, 67.08 percent.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 14 which governs out-of-state attorney applicants who must take and pass an attorney examination. That examination is an essay type test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases and also the Code of Professional Responsibility. The test is of three hours' duration and is administered on the first day of the regularly scheduled bar examination.

Commencing with the February 1985 attorney examination, the revised Maryland Rules of Procedure, which became effective July 1, 1984, were used. They were also used on the regular bar examination.

At the attorney examination administered in July 1984, 63 applicants took the examination for the first time along with 5 who had been unsuccessful on a prior examination for a total of 68 applicants. Out of this number 61 passed. This represents a passing rate of 89.70 percent.

In February 1985, 113 new applicants took the examination for the first time along with 12 applicants who had been unsuccessful on a prior examination for a total of 125 applicants. Out of this number 108 passed. This represents a passing rate of 86.40 percent.

By order of the Court of Appeals of Maryland, dated January 22, 1982, the requirement that all applicants be domiciliaries of the State of Maryland by time of admission to the bar was abolished.

Rules Committee

Under Article IV, Section 18(a) of the Maryland Constitution, the Court of Appeals is empowered to regulate and revise the practice and procedure in, and the judicial administration of, the courts of this State. Under the Code, Courts Article, §13-301, the Court of Appeals may appoint "a standing committee of lawyers, judges, and other persons competent in judicial practice, procedure or administration" to assist the Court in the exercise of its rule-making power. The Standing Committee on Rules of Practice and Procedure, often referred to simply as the Rules Committee, was originally appointed in 1946 to succeed an ad hoc Committee on Rules of Practice and Procedure created in 1940. Its members meet regularly to consider proposed amendments and additions to the Maryland Rules of Procedure and submit recommendations for change to the Court of Appeals.

Completion of the comprehensive reorganization and revision of the Maryland Rules of Procedure continues to be the primary goal of the Rules Committee. Phase I of this project culminated with the adoption by the Court of Appeals of Titles 1, 2, 3, and 4 of the Maryland Rules of Procedure which became effective

July 1, 1984. The Committee is currently working on Phase II of the project which involves the remainder of the Maryland Rules, Chapters 800 through 1300.

During the past year, the Rules Committee submitted to the Court of Appeals certain rules changes and additions considered necessary and also a report of the Committee's recommendations regarding the Rules of Professional Conduct being considered by the Court. Pursuant to the Committee's recommendations submitted in its 89th Report, the Court of Appeals amended Rules 2-326, 2-613, 2-646, 3-307, 3-646, 4-217, 812, 1012, 1023, BR6, W74, and 1228. Rule 2-326(c) was amended to delete an inappropriate reference to a demand for jury trial filed by a plaintiff in an action not within the exclusive original jurisdiction of the District Court. Rule 2-613(e) was amended to clarify that the Rule is applicable to *in rem* and quasi *in rem* actions as well as *in personam* actions. Rules 2-646(i) and 3-646(i) were amended to provide that a garnishee, without the necessity of filing a statement in court, shall notify the judgment debtor of the amount of wages withheld each pay period and the method used to compute the amount. Rule 3-307(b) was amended to make the exception that allows 60 days to file a Notice of Intention to Defend clearly applicable to a resident defendant, as well as a nonresident defendant, served through a statutory agent. Rule 4-217(i)(5) was amended to provide consistency with Code, Article 27, §616 1/2(e)(1). Rule 812 was amended to provide for postponement of the time within which to file a petition for certiorari when specified post judgment motions are filed in a civil action tried *de novo* in the circuit court. Rules 1012d and 1312c were amended to clarify that the timely filing of certain post judgment motions in civil actions renders ineffective any order for appeal filed before the filing or disposition of the motion. Rule 1023 was amended to provide for use of a form prescribed by the Court of Special Appeals, for enlargement of the generally applicable time for filing an information report, and for postponement of the time for filing the report in circumstances when the notice of appeal may be nullified by the filing of specified post judgment motions. Rule BR6 b 2 was amended to provide for issuance of a notice by the clerk in lieu of entry of an order by the court. Rule W74 was amended to reinstate in subsection a 2(c)(ii) the word "record" which was inadvertently deleted during a prior revision of the Rule. Rule 1228 h 3 was amended to provide that the annual bond required to be filed by the Treasurer of the Clients' Security Trust Fund be in an amount established from time to time by the Court of Appeals.

By letter to the Court of Appeals dated November 19, 1984, the Rules Committee submitted its recommendations for resolution of the problems concerning post judgment garnishment which arose as a result of the decision rendered in the case of *Reigh v. Schleigh*, 595 F. Supp. 1535 (D. Md. 1984). The recommendations involved supplementation of the rules by administrative order, but no rules amendments.

In its 90th Report, the Rules Committee submitted to the Court of Appeals proposed amendments to Rules 2-501 and 2-602. The amendments were adopted by the Court and became effective April 8, 1985. Rule 2-501 was amended to limit application of section (e) (3) to claims for monetary relief only. Rule 2-602 was amended to clarify when certification of a judgment is available.

By letter to the Court of Appeals dated April 22, 1985, the Committee submitted its comments and recommendations concerning the Report of the Select Committee of the Court of Appeals to study the ABA Model Rules of Professional Conduct.

In its 91st Report, the Rules Committee submitted to the Court of Appeals a proposed amendment to Rule 1056. The amendment permits the Clerk of the Court of Special Appeals, when authorized by administrative order, to dispose of specified procedural motions. It was adopted by the Court of Appeals and became effective May 10, 1985.

On March 1, 1985, the Honorable Alan M. Wilner was appointed Chairman of the Rules Committee to fill the vacancy created by the appointment of the former Chairman, The Honorable John F. McAuliffe, to the Court of Appeals. Judge McAuliffe served as a member of the Committee since 1974 and was the Chairman since March of 1983. Judge Wilner has served as a member of the Committee since July 1, 1984, and previously served as a member from 1974 through 1977.

State Law Library

The objective of the Maryland State Law Library is to provide an optimum level of support for all the legal and general reference research activities of the Court of Appeals, Court of Special Appeals, and other court-related units within the judiciary. A full range of information services is also extended to every branch of State government and to citizens throughout Maryland.

Originally established by an act of the legislature in 1827, the Library is now governed by a Library Committee whose powers include appointment of the director of the Library as well as general rule-making authority.

With a collection in excess of 210,000 volumes, this specialized facility offers researchers access to three distinct and comprehensive libraries of law, general reference/government documents and Maryland history and genealogy. Of special note are the Library's holdings of state and federal government publications which add tremendous latitude to the scope of research materials found in most law libraries. An additional research tool available to court and other State legal personnel is Mead Data Central's computer assisted legal research service, Lexis.

Over the past three years, the Library has made substantial improvements to its collections. The



Library now contains holdings of all the out-of-state codes and official state court reports. United States Supreme Court records and briefs on microfiche have been added since the 1980 Term.

Additionally, the Library has been upgrading its Maryland legislative history files and plans to gather a complete collection of task force and study commission reports. The Legislative Committee files microfilmed by the Department of Legislative Reference are also being acquired on a piecemeal basis.

On-line cataloging and reclassification of the entire collection continues to be a high priority effort. The Library began participating in a cooperative cataloging program with a number of state publication depository libraries this past year. In all, some 3,200 titles have been processed on OCLC during fiscal 1985.

Technical assistance was provided to five circuit court libraries in the further development of their library services. Consultations included collection development, collection cataloging, space planning, library design, and computer-assisted legal research systems. The microfiche of the appellate courts records and briefs were transferred to a commercial vendor, Suburban Microfilm Services, Inc.

During the past year the Library continued to par-



ticipate in RSVP (Retired Senior Volunteer Program) through Anne Arundel County. This program has provided the Library with a number of part-time volunteers who have initiated and completed a number of important indexing and clerical projects.

As a part of its public relations and information dissemination effort, the Library continued the publication of the quarterly *Recent Acquisitions of the Maryland State Law Library* and also published a new and expanded *Guide to the Resources and Services of the Maryland State Law Library*.

Two new publications issued by the library were a well-received guide to conducting legislative history research in Maryland entitled *Ghosthunting: Finding Legislative Intent in Maryland*, *A Checklist of Sources* and an updated *Divorce Bibliography*. Additionally, members of the staff contributed to a publication entitled *Legal Information Resources: A Guide for Maryland Libraries*, which was a joint effort of the Maryland Library Association and the Law Library Association of Maryland.

Members of the staff continue to be active on the lecture circuit, addressing high school and college classes on the basics of legal research techniques and also appearing before genealogy societies to discuss

the collections and services available from the library.

Numerous library tours have been conducted and the Library held its first open house which was a tremendous success.

Probably one of the greatest accomplishments during the year was the culmination of many years of effort to initiate a plan to put the Library on a separate air-conditioning system from the rest of the complex. Funds have been appropriated in the fiscal 1986 Department of General Services budget to begin work on this much needed project.

Located on the first floor of the Courts of Appeal Building, the Library is open to the public Monday through Friday, 8:30 a.m.-4:30 p.m.; Thursday, 8:30 a.m.-9:00 p.m.; and Saturday, 9:00 a.m.-4:00 p.m.

Summary of Library Use Fiscal 1985

Reference Inquiries	12,826
Volumes circulated to patrons	2,424
Interlibrary Loan Requests filled	394
Saturday attendance	1,680

Attorney Grievance Commission

By Rule of the Court of Appeals, the Attorney Grievance Commission was created in 1975 to supervise and administer the discipline and inactive status of lawyers. The Commission consists of eight lawyers and two lay persons appointed by the Court of Appeals for four-year terms. No member is eligible for reappointment for a term immediately following the expiration of the member's service for one full term of four years. The Chairman of the Commission is designated by the Court. Members of the Commission serve without compensation. The Commission appoints, subject to approval of the Court of Appeals, a lawyer to serve as Bar Counsel and principal executive officer of the disciplinary system. Duties of the Bar Counsel and his staff include investigation of all matters involving possible misconduct, prosecution of disciplinary proceedings and investigation of petitions for reinstatement.

By Rule of Court, the Court of Appeals also established a disciplinary fund to cover expenses of the Commission and provided for an Inquiry Committee and a Review Board to act upon disciplinary cases. The fund is endowed by an annual assessment for members of the bar as a condition precedent to the practice of law. The Inquiry Committee consists of 300 volunteers, one-third of whom are lay persons and two-thirds lawyers, each appointed for a four-year term. The Review Board consists of eighteen persons, fifteen of whom are attorneys and three of whom are lay persons from the State at large. Members of the Review Board serve three-year terms and are ineligible for reappointment. Judges are not permitted as members of the Inquiry Committee or the Board.

Inventoried complaints this year were fewer than last year. The number of complaints disposed of kept pace with the increased new complaints filed. The nature of complaints filed continued to be more complex and time consuming. More complaints were awaiting Inquiry Panel and Review Board disposition this year than last year. In three or four cases unusual circumstances resulted in Inquiry Panels delaying the filing of reports longer than the Commission found to be reasonable. Changes in Inquiry Committee procedures have been adopted to make future delays of this nature less likely. The number of lawyers disbarred this year was eleven. One lawyer was permitted to resign without the right to ever apply for readmission. This represents the average that has prevailed for many years. Bar Counsel continues to devote a greater part of his efforts to the more complex cases.

The Commission provides financial support for the Lawyer Counseling program of the Maryland State Bar Association. Complaints against lawyers sometimes result from mental illness, dependence on alcohol or drugs, or simply poor organization of their work. The counseling program helps lawyers with these problems. Bar Counsel continues to find that referrals to

Summary of Disciplinary Action

	1980 -81	1981 -82	1982 -83	1983 -84	1984 -85
Inquiries Received (No Misconduct)	811	741	1,052	903	988
Complaints Received (Prima facie misconduct indicated)	295	320	280	384	295
Complaints Concluded	355	337	289	315	319
Disciplinary Action Taken by Number of Attorneys:					
Disbarred	4	8	11	5	8
Disbarred by Consent	6	2	5	7	3
Suspension	3	4	3	7	11
Public Reprimand	1	2	3	4	3
Private Reprimand	7	7	8	13	7
Place on Inactive Status	2	3	0	1	2
Dismissed by Court	7	4	3	7	7
Petitions for Reinstatement granted	0	3	0	1	2
Resigned with Prejudice, without right to be readmitted	0	0	0	0	1
Number of Attorneys	28	33	33	45	44

the counseling system are helpful in avoiding more serious disciplinary problems.

The Commission and Bar Counsel communicate with Maryland lawyers and the public through articles on disciplinary matters in the *Maryland Bar Journal*, continuing legal education seminars, addresses at public schools and bar association meetings, legal ethics courses, and appearances before court-related agencies. Efforts are continually made to inform attorneys and clients of how disciplinary infractions arise. Increased awareness of problem areas in the practice may reduce the number of unintended infractions of disciplinary rules.

The Commission maintains a toll-free number (800-492-1660) for incoming calls from anywhere within Maryland for the convenience of complainants and for volunteers who serve in the system.

Although the Commission's budgeted expenses were expected to exceed income this year, additional interest income, unexpected reimbursements of court costs, and increases in the number of lawyers admitted to the practice together with careful control of expenses have resulted in the projected deficit being substantially lower than forecast. The Commission expects to operate at a deficit in fiscal 1985. No increase in the amount of the assessment has been deemed necessary for fiscal 1986.

Clients' Security Trust Fund

A statute enacted in 1965 empowers the Court of Appeals to provide by rule for the operation of the Clients' Security Trust Fund. It requires an annual assessment from lawyers as a condition precedent to the practice of law in the State of Maryland. Rules of the Court of Appeals of Maryland that are now in effect are set forth in Maryland Rule 1228.

The purpose of the Clients' Security Trust Fund is to maintain the integrity and protect the name of the legal profession. It reimburses clients for losses to the extent authorized by these rules and deemed proper and reasonable by the trustees. This includes losses caused by misappropriation of funds by members of the Maryland bar acting either as attorneys or as fiduciaries except to the extent to which they are bonded.

Seven trustees are appointed by the Court of Appeals from the Maryland bar. One trustee is appointed from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit. One additional lay trustee is appointed by the Court of Appeals from the State at large. Trustees serve on a staggered seven-year basis.

The Clients' Security Trust Fund began its nineteenth year on July 1, 1984, with a fund balance of \$1,130,323.45, as compared to a fund balance of

\$1,042,684.63 for July 1, 1983. The fund ended its nineteenth year on June 30, 1985, with a fund balance of \$1,129,955.85, as compared to a fund balance of the year ending June 30, 1984, of \$1,130,323.45.

At their meeting of July 13, 1984, the trustees elected Carlyle J. Lancaster, Esq., Chairman; Wilbur D. Preston, Jr., Esq. Vice Chairman; Vincent L. Gingerich, Esq., Secretary; and Isaac Hecht, Esq., Treasurer to serve as officers for fiscal 1985. On June 20, 1985, Wilbur D. Preston, Jr., Esq., resigned to accept the appointment of special counsel to investigate the savings and loan industry.

During fiscal 1985, the trustees approved and paid fourteen claims which amounted to \$165,130.12. There are fourteen claims which are pending with a current liability exposure of \$798,108.00.

On June 30, 1985, there were 15,139 lawyers subject to annual assessments. Of this number, 10,527 attorneys were subject to the \$10.00 per year assessment and, of this number, 124 attorneys have failed to pay. The remaining 4,612 attorneys were subject to a \$3.00 per year assessment and, of this number, 86 attorneys have failed to pay.

In accordance with the Maryland Rules of Procedure, the nonpaying attorneys' names will be stricken from the list of practicing attorneys in this State after certain procedural steps have been taken by the trustees.



Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945 by the Honorable Ogle Marbury, then Chief Judge of the Court of Appeals. It currently exists under provisions of Maryland Rule 1226, which direct it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice in Maryland and the judicial system in Maryland."

The Conference consists of the 217 judges of the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties and Baltimore City and the District Court of Maryland. The Chief Judge of the Court of Appeals is its chairman; the State Court Administrator is the executive secretary. The Conference meets annually in plenary session. Between these sessions, its work is conducted by an Executive Committee and by a number of other committees, as established by the Executive Committee in consultation with the Chief Judge. In general, the chairmen and members of these committees are appointed by the chairman of the Executive Committee in consultation with the Chief Judge. The various committees are provided staff support by personnel of the Administrative Office of the Courts.

The Executive Committee

The Executive Committee consists of 17 judges elected by their peers from all court levels in the State. The Chief Judge of the Court of Appeals serves as an ex-officio non-voting member. It elects its own chairman and vice-chairman. Its major functions are to "perform the functions of the Conference" between plenary sessions and to submit "recommendations for the improvement of the administration of justice" in Maryland to the Chief Judge of the Court of Appeals, the Court of Appeals, and the full Conference as appropriate. The Executive Committee may also submit recommendations to the Governor, the General Assembly, or both of them. These recommendations are transmitted through the Chief Judge of the Court of Appeals and are forwarded to the Governor or General Assembly, or both, with any comments or additional recommendations deemed appropriate by the Chief Judge or the Court.

During fiscal 1985, the Executive Committee elected the Honorable John H. Garmer, Administrative Judge of District Eight of the District Court, as its chairman, and the Honorable Alfred T. Truitt, Jr., Associate Judge of the Circuit Court for Wicomico County, as its vice-chairman.

The Executive Committee met almost monthly and planned the 1985 Maryland Judicial Conference and reviewed the work of the various committees. The Executive Committee referred many matters to the General Assembly for action.

Meeting of the Maryland Judicial Conference

The Fortieth Annual Maryland Judicial Conference was held on May 2 and 3, 1985, in Hagerstown, Maryland at the Ramada Inn.

A review of the revised rules was presented by Judges John F. McAuliffe and Joseph H. H. Kaplan, Peter F. Axelrad, Esq., and Paul Mark Sandler, Esq., with Paul V. Niemeyer, Esq., as moderator. Julia M. Freit, Reporter of the Standing Committee on Rules of Practice and Procedure, also participated.

Judges participated in the analyses of recent Maryland appellate decisions. They selected from among seven small group sessions on different cases involving: marital property, imperfect self-defense, driving while intoxicated, collection cases, restitution in criminal cases, stop and frisk, search warrants, joint custody, and visitation by stepparents.

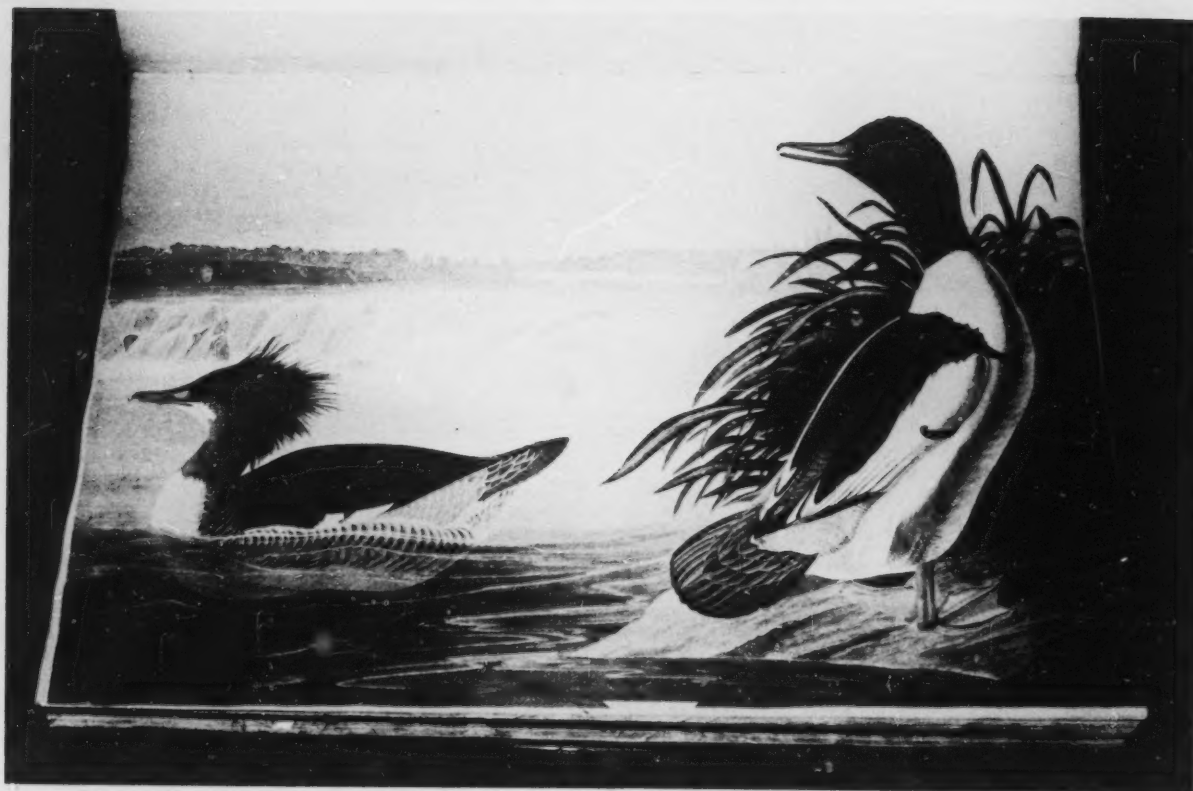
Conference of Circuit Judges

The Conference of Circuit Judges was established pursuant to Maryland Rule 1207 to make recommendations on the administration of the circuit courts. Membership includes the eight Circuit Administrative Judges and one judge elected from each of the eight circuits for a two-year term. The chairman also is elected by the Conference for a two-year term. In fiscal 1985, the Conference met four times to address various concerns of the circuit court judges. The following highlights some of the important matters considered by the Conference.

The Conference:

1. Supports legislation.

The Conference expressed its support for and opposition to various legislative proposals, including support for Maryland Judicial Conference legislation. The



A print from *Birds of America* by John James Audubon, Maryland State Law Library.

Conference also had a bill introduced to repeal a section of the Health Article with which it had serious concerns. Under the present law and under certain circumstances, an inmate in a state correctional institution must be committed or transferred to the custody of the State's Drug Abuse Administration if the inmate proves that he is a drug addict and a danger to himself or others. Even though a commitment cannot take place unless the Administration has the staff and space to accommodate the inmate, there is no judicial discretion. The major concern of the Conference is that there are no secure facilities for those who are committed. Despite the Conference's efforts, the legislation was not enacted. Likewise, a similar bill introduced by the States' Attorney's Association which would have addressed in part the Conference's concern, was not enacted.

2. Urges renewed efforts to remove circuit court judges from the competitive election process.

The Conference again discussed this subject and unanimously reaffirmed its position to remove circuit court judges from competitive elections. To this end, the Conference agreed to join efforts with the

Maryland State Bar Association. Unfortunately, the legislation was not enacted.

3. Urges rule changes.

The Conference referred to the Standing Committee on Rules of Practice and Procedure of the Court of Appeals various proposals to amend certain Maryland Rules. One dealt with Rule BR6 b 2 (Procedure Following Sale—Ratification—Sale of Real Property or Chattels Real—Show Cause Order). Another concerned Rule 2—543 e (Auditors—Account or Report). The Conference asked the Rules Committee to allow a clerk to enter an order ratifying the auditor's report if exceptions are not filed. Third, the Conference sought clarification on Orders to Show Cause. There has been some question as to whether the new rules eliminate Show Cause Orders. Fourth, it asked the Rules Committee to review the subject of in banc review authorized by Article IV, §22 of the Maryland Constitution and implemented by Rule 2-551 (in banc review). The number of in banc appeals increased in some jurisdictions and there are some administrative and procedural matters for the Rules Committee to address. Finally, the Conference proposed an

amendment to Maryland Rule W74 g 3 (Mortgages—Sale—Conveyance to Purchaser—to Substituted Purchaser). This amendment would clarify the amount of time for purchaser substitution.

4. Established communication and urges cooperation with agency officials.

The Conference met with the Secretary and other representatives from the Department of Health and Mental Hygiene concerning the Department's failure to comply with current laws and procedures in court referrals. Among the key items are incomplete and inadequate reports produced by the Department on evaluations of individuals for competency to stand trial and responsibility for criminal conduct. There have been conflicting diagnoses by different administrations within the Department as well as a lack of standardized reporting court forms. The Conference strongly urged the Department to adopt a policy on these court referrals, adopt procedures to implement the policy, and produce a standardized evaluation form. To this end, the Conference urged that it work cooperatively with the Maryland Judicial Conference Committee on Mental Health, Alcoholism and Addiction. A proposed policy by the Department and a standard evaluation form was submitted and adopted by the Conference. Because these matters affect both trial courts, the proposed policy and the form will be reviewed by the Maryland Judicial Conference Executive Committee and the District Court Judges' Administrative Committee.

5. Approves use of uniform commitment form.

In the last two annual reports, it was reported that efforts have been underway to develop a uniform commitment form for both trial courts. Such a form would eliminate the many different types of commitment forms now in use at the circuit court level. The Conference previously endorsed the development of such a form and directed that it be tested on a pilot basis. Pilot tests were concluded this fiscal year and positive results were presented to the Conference. As a result, it endorsed the form's use in all the circuit courts. Its full implementation will be preceded by a period of training for all judges and clerks.

Administrative Judges Committee of the District Court

by the Chief Judge of the District Court of Maryland
Robert F. Sweeney

The Administrative Judges Committee of the District Court, unlike its counterpart, the Conference of Circuit Judges, was not established by rule of the Court of Appeals, but arose almost inherently from the constitutional and statutory provisions which created the District Court of Maryland in 1971.

Under Article IV of the Maryland Constitution and the implementing legislation in the Courts and Judicial

Proceedings Article, the District Court is a single, statewide entity. Although the Chief Judge is responsible for the maintenance, administration, and operation of the District Court at all of its locations throughout the State, with constitutional accountability to the Chief Judge of the Court of Appeals, the administrative judges of each of the District Court's twelve districts are in turn responsible to the Court's Chief Judge for the administration, operation, and maintenance of the District Court in their respective district. Together or separately, the Chief Judge and the administrative judges are the appointing authorities and constitutional or statutory supervisors for all of the 1,000 employees of the District Court and are vested by statute with additional and specific authority to regulate practice and procedure in the District Court, to establish the amount of prepaid fines in motor vehicle and natural resources cases, and to establish court costs in civil cases.

To enable these thirteen constitutional administrators to speak with one voice, the Chief Judge formed the Administrative Judges Committee when the Court began in 1971. In 1978, when Maryland Rule 1207 was amended to provide for election of some of the members of the Conference of Circuit Judges, he provided for the biannual election of five trial judges of the District Court to serve on the Committee with the District Court's twelve administrative judges. The Chief Judge, ex-officio, serves as Chairman of this Committee.

During fiscal 1985, the Committee acted on a wide variety of items. Among them was a decision that all nonailable offenses under the motor vehicle laws should be payable without trial, endorsement of legislation relating to fingerprinting of individuals brought before the Court by way of citation or summons, endorsement of legislation to provide increased fees for service of some civil process, and a major modification to the Maryland Automated Traffic System, which involved the redesign of the uniform traffic citation and the inclusion on a defendant's trial date notice of the specific violation with which he is charged.

The Committee also directed correspondence to the Governor concerning the relationship between the Court and the Department of Health and Mental Hygiene, leading to a more intensified dialogue between the Court and the Department concerning commitment and treatment of alcohol and drug addicts, and revisions in the custody of defendants in criminal cases for whom an examination as to mental competence is required.

The Administrative Judges Committee also made recommendations to appropriate committees of the Maryland Judicial Conference on bills pending before the General Assembly, and made recommendations to the Standing Committee on Rules of Practice and Procedure pertaining to the rules.

Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor normally is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residency in Maryland for at least five years and in the appropriate circuit, District or county, for at least six months; registration as a qualified voter; admission to practice law in Maryland; and the minimum age of 30. In addition, a judicial appointee must be selected from those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with no guidance as to how he is to go about exercising his discretion in making judicial appointments. Maryland governors have themselves filled that gap, however, by establishing Judicial Nominating Commissions.

Judicial Nominating Commissions

Before 1971, Maryland governors exercised their powers to appoint judges subject only to such advice as a particular governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Because of dissatisfaction with this process, as well as concern with other aspects of judicial selection and retention procedures in Maryland, the Maryland State Bar Association for many years pressed for the adoption of some form of what is generally known as "merit selection" procedures.

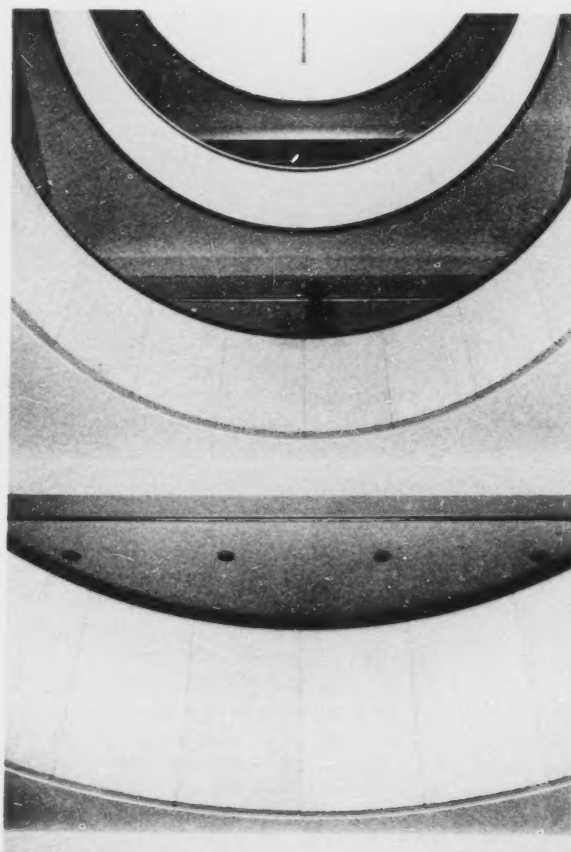
In 1970, these efforts bore fruit when former Governor Marvin Mandel, by Executive Order, established a statewide Judicial Nominating Commission to propose nominees for appointment to the appellate courts, and eight regional Trial Court Nominating Commissions to perform the same function with respect to trial court vacancies. These nine commissions began operations in 1971, and since then, each judicial vacancy filled pursuant to the governor's appointing power has been filled from a list of nominees submitted by a Nominating Commission.

As presently structured, under an Executive Order issued by Governor Harry Hughes on June 8, 1979, and amended April 24, 1982, each of the nine commissions consists of six lawyer members elected by other lawyers within designated geographical areas; six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person,

appointed by the Governor. The Administrative Office of the Courts acts as a secretariat to all commissions and provides them with staff and logistical support.

When a judicial vacancy occurs or is about to occur, the Administrative Office of the Courts notifies the appropriate commission and places announcements in *The Daily Record*. Notice of the vacancy is also sent to the Maryland State Bar Association and local bar association.

The Commission then meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Each candidate is interviewed either by the full Commission or by the Commission panels. After



discussion of the candidates, the Commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list is prepared by secret written ballot. No Commission may vote unless at least nine of its 13 members are present. An applicant may be included on the list if he or she obtains seven or more votes. The list is then forwarded to the Governor who is bound by the Executive Order to make his appointment from the Commission list.

During fiscal 1985, 18 vacancies occurred, two of which were not filled until fiscal 1986. This compares to 24 vacancies in fiscal 1984, six of which were not filled until fiscal 1985. The Appellate Judicial Nominating Commission met three times during fiscal 1985. The First and Fifth Judicial Nominating Commissions each met once. The Third and Sixth Judicial Nominating Commissions met three and five times, respectively. Four meetings were held by the Eighth Judicial Nominating Commission. The Seventh Judicial Nominating Commission met twice during fiscal 1985.

The accompanying table gives comparative statistics pertaining to vacancies, number of applicants, and number of nominees over the past nine fiscal years. In reviewing the number of applicants and the number of nominees, it should be noted that under the Executive Order, a pooling system is used. Under this pooling system, persons nominated as fully qualified for appointment to a particular court level are automatically submitted again to the Governor, along with any additional nominees, for new vacancies on that particular court that occur within 12 months of the date of initial nomination. The table does not reflect these pooling arrangements. It shows new applicants and new nominees only.

Of the two vacancies on the Appellate Courts, both were filled from the circuit court bench.

All nine of the circuit court vacancies were filled during the fiscal year. One appointment was from the District Court bench while six appointments were from the private bar. The remaining two vacancies were filled by candidates from the public sector.

The District Court filled five of the seven vacancies in fiscal 1985. Three appointments were from the private bar and two were public employees.

Removal and Discipline of Judges

Every Maryland judge is subject to mandatory retirement at age 70. In addition, judges of the appellate courts run periodically in noncompetitive elections. A judge who does not receive the majority of the votes cast in such an election is removed from office. Judges from the circuit courts of the counties and Baltimore City must run periodically in regular elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges face Senate reconfirmation every ten years. A judge who is not reconfirmed by the

Senate is removed from office. In addition, there are from six to seven other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a court of law for incompetency, willful neglect of duty, misbehavior in office, or any other crime . . ."
2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concur in the address, and if the accused has been notified of the charges against him and has had an opportunity to make his defense.
3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity . . ."
4. The General Assembly may remove a judge through the process of impeachment.
5. The Court of Appeals may remove a judge upon recommendation of the Commission on Judicial Disabilities.
6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever . . . disqualified for holding any office of trust or profit in this State" and thus presumably removed from office.
7. Article XV, § 2 of the Constitution, adopted in 1974, may provide another method to remove elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a *nolo* plea for a crime which is a felony or which is a misdemeanor related to his public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.

Despite the availability of other methods, only the fifth one has actually been used within recent memory. Since the use of this method involves the Commission on Judicial Disabilities, which also has the power to recommend discipline less severe than removal, it is useful to examine that commission.

The Commission on Judicial Disabilities

The Commission on Judicial Disabilities was established by constitutional amendment in 1966 and strengthened in 1970; its powers were further clarified in a 1974 constitutional amendment. The Commission is empowered to investigate complaints, conduct hearings, or take informal action as it deems necessary, provided that the judge involved has been properly notified. Its operating procedures are as follows. The Commission conducts a preliminary investigation to determine whether to initiate formal proceedings, after which a hearing may be of help regarding the judge's alleged misconduct or disability. If, as a result of these hearings, the Commission, by a majority vote, decides that a judge should be retired, removed, censured or publicly reprimanded, it recommends that course of

Judicial Nominating Commission Statistics
Judicial Vacancies and Nominees from Fiscal 1977 to Fiscal 1985

		Court of Appeals	Court of Special Appeals	Circuit Courts/ Supreme Bench	District Court	TOTAL
FY 1977	Vacancies	0	0	6	15	21 ^a
	Applicants	0	0	36	94	130
	Nominees	0	0	15	32	47
FY 1978	Vacancies	1	3	17	9	30 ^b
	Applicants	13	25	130	150	318
	Nominees	5	12	47	40	104
FY 1979	Vacancies	1	1	7	11	20 ^c
	Applicants	4	25	38	67	134
	Nominees	4	6	18	31	59
FY 1980	Vacancies	1	0	13	11	25 ^d
	Applicants	5	0	87	135	227
	Nominees	3	0	27	28	58
FY 1981	Vacancies	0	0	3	10	13 ^e
	Applicants	0	0	30 ^f	69 ^f	99 ^f
	Nominees	0	0	6 ^f	24 ^f	30 ^f
FY 1982	Vacancies	1	1	12	11	25 ^g
	Applicants	5	7	96 ^f	142 ^f	250 ^f
	Nominees	4	4	26	30 ^f	64 ^f
FY 1983	Vacancies	0	4	8	5	17 ^h
	Applicants	0	32	74 ^f	70 ^f	176 ^f
	Nominees	0	16	17 ^f	22 ^f	55 ^f
FY 1984	Vacancies	0	2	12	10	24 ⁱ
	Applicants	0	27	91 ^f	195 ^f	313 ^f
	Nominees	0	12	29 ^f	37 ^f	78 ^f
FY 1985	Vacancies	1	1	9	7	18 ^j
	Applicants	3	5	79 ^f	122 ^f	209 ^f
	Nominees	3	3	24 ^f	34 ^f	64 ^f

^a In Fiscal 1977, three new vacancies occurred but were not filled until FY 78. Four additional vacancies that occurred in FY 76 were filled.

^b In Fiscal 1978, all vacancies that occurred during the year were filled. Three additional vacancies that occurred during the year were filled.

^c In Fiscal 1979, two additional vacancies occurred during the fiscal year, but were not filled until FY 80.

^d In Fiscal 1980, three new vacancies occurred during the fiscal year but were not filled during that year. Two vacancies that occurred in FY 79 were filled.

^e In Fiscal 1981, three vacancies were filled that had occurred in Fiscal 1980.

^f Because of the pooling arrangements available under the Executive Order during the past five fiscal years, the number of applicants and nominees in these years may be somewhat understated. The numbers given in the chart do not include individuals whose names were available for consideration by the Governor pursuant to the pooling arrangement.

^g Three vacancies that occurred in FY 81 were filled in FY 82. Two vacancies that occurred in FY 82 were not filled until FY 83.

^h Five vacancies that occurred in FY 83 were not filled until FY 84.

ⁱ Six vacancies that occurred in FY 84 were not filled until FY 85.

^j Two vacancies that occurred in FY 85 were not filled until FY 86.

action to the Court of Appeals. The Court of Appeals may order a more severe discipline of the judge than that which the Commission recommended. In addition, the Commission has the power in limited situations to issue a private reprimand or merely a warning.

The primary function of the Commission on Judicial Disabilities is to receive, investigate and hear complaints against members of the Maryland judiciary. Formal complaints must be in writing and notarized, but no particular form is required. In addition, numerous individuals either write or call expressing dissatisfaction concerning the outcome of a case, or some judicial ruling. While some of these complaints may not fall technically within the Commission's jurisdiction, the complainants are afforded an opportunity to express their feelings and frequently are informed, for the very first time, of their right of appeal. Thus the Commission in an informal fashion offers an ancillary, though vital, service to members of the public.

During the past year, the Commission considered 31 formal complaints. Two were initiated by the Commission itself, seven by practicing attorneys and the remainder by members of the public. Some complaints were directed against more than one judge and sometimes a single judge was the subject of numerous complaints. In all, 13 judges sitting at the District Court level and 22 circuit court judges, were the subjects of complaints.

As in previous years, litigation over some domestic matter (divorce, alimony, custody) precipitated the most complaints (11), criminal cases accounted for ten and the remainder resulted from some civil litigation or the alleged improper demeanor of some jurist. No formal

record is kept of either the telephone discussions and consultations or the written complaints summarily dismissed for lack of jurisdiction.

The Commission deals with formal complaints in a variety of ways. Tapes or transcripts of judicial hearings are often obtained. When pertinent, attorneys and other disinterested parties who participated in the hearings are interviewed. Sometimes, as part of its preliminary investigation, the Commission will request a judge to appear before it.

During the past year, at least one complaint was dismissed because the particular judge resigned. Several judges were requested to defend charges against them. In most instances, however, the complaints were eventually dismissed either because the charges leveled were not substantiated or because they did not amount to a breach of judicial ethics. Matters were likewise disposed of by way of discussion with the jurist involved or by private reprimand. The Court of Appeals, in one instance, accepted the Commission's recommendation that a District Court judge be removed. Some matters are also currently pending.

Finally, pursuant to Rule 1227 of the Maryland Rules, the Commission serves yet another function. It supplies judicial nominating commissions with confidential information concerning reprimands to or pending charges against those judges seeking nomination to a judicial office.

The Commission meets as a body irregularly, depending upon the press of business. Its seven members are appointed by the Governor and include four judges presently serving on the bench, two members of the bar for at least 15 years, and one lay person representing the general public.



1985 Legislation Affecting the Courts

Unlike last year, the 1985 Session of the General Assembly was relatively free of controversy. However, there was an abundance of measures introduced to increase penalties in criminal offenses and alcohol/drug related traffic violations, expand victim's rights, and strengthen support enforcement efforts. The success of these legislative pursuits can be described as modest. Of particular note, the General Assembly did adopt most of the Administration's legislative package dealing with child abuse. Measures meeting with less success include attempts to once again establish a comparative negligence rule and to amend the "shield law" pertaining to privileged communications. A more detailed summary of 1985 legislation is available through the Administrative Office of the Courts.

1. Judicial Conference Legislation

Jury Trials—Chapter 3. Clarifies that a demand for a jury trial in a civil action must be filed in a timely manner to effect a transfer of jurisdiction from the District Court to a circuit court.

Protective Orders—Abuse by Household Members—Chapter 187. Permits an extension of a temporary *ex parte* protective order in instances when the order is not served on the alleged abuser and allows the court to proceed with the protective order hearing where the court has personal jurisdiction over the alleged abuser.

Maryland Vehicle Law—Judicial Review—Chapter 364. Requires the certification of decisions to the Court of Appeals in cases in which a circuit court has rendered a final judgment on an appeal from an administrative decision under the Maryland Vehicle Law.

2. Court Administration

Judicial Compensation—Joint Resolution 16. Proposals to raise judges' salaries were met with considerable opposition and were amended to reduce the salary increase to 4 percent across-the-board raise granted to State employees.

Judgeships—Chapter 21. Pursuant to Chief Judge Murphy's certification, the legislature created two additional circuit court judgeships.

Limitation Upon Prosecution—Chapter 451. Repeals the two-year statute of limitations on the commencement of paternity proceedings.

Appeals—Chapter 132. Prohibits a court from entertaining an inmate grievance until all remedies have been exhausted before the Inmate Grievance Commission.

Bar Examination—Fees—Chapter 719. Increases the bar examination fee.

Sheriff's Fees—Chapter 65. Increases sheriff's fees, establishes a fee for service in administrative agency proceedings and provides for the refund of fees for papers not served.

Pre-Trial Release—Chapter 725. Transfers pre-trial release services from the Clerk's Office for Baltimore City to the Division of Parole and Probation.

3. Criminal Law and Procedure

"Hazing"—Chapter 153. Prohibits the "hazing of a student and provides that the student's implied or expressed consent to the mistreatment may not be a defense to prosecution.

Transcripts—Chapter 155. Prohibits the forgery, counterfeiting or alteration of a transcript, diploma or grade report of a post-secondary institution.

Student Absences—Chapter 205. Increases the penalties for an individual contributing to the unlawful absence of a child from school.

Destruction of Property—Sentencing—Chapter 479. Structures the penalty for maliciously destroying property upon the value of the property.

Inmates—Sentencing—Chapter 391. Provides for consecutive sentencing for an assault of another inmate.

Wiretapping and Electronic Surveillance—Evidence—Chapter 509. Permits law enforcement officers to intercept wire or oral communications of barricaded subjects where probable cause exists that a hostage may be involved.

Child Pornography—Testimony—Chapter 494. Provides that the State's Attorney is not required to identify or produce testimony from the child who is depicted in the material.

Victims' Rights—Parole Release Hearing—Chapter 523. Provides for a victim of a violent crime to be notified of the hearing and requires the Commission to consider an updated victim impact statement.

Victims' Rights—Trials—Chapter 563. Permits a judge in a criminal trial not to sequester a victim witness of a violent crime who has testified.

Weapons—Local Control—Chapter 724. Preempts the rights of political subdivisions to regulate firearms and ammunition and transfers that authority to the State.

4. Civil Law and Procedure

"Death With Dignity"—Chapter 620. Permits a person to execute a declaration directing that life sustaining procedures not be provided or continued in the event of a terminal condition.

Maryland Tort Claims Act—Chapter 538. Extends a waiver of sovereign immunity to any tortious act or omission of State personnel that is not within the scope of their public duties or is made with malice or gross negligence.

Contracts—Damages—Chapter 710. Makes it an unfair trade practice for a seller of consumer realty to use a contract for the sale of single family residential realty that contains a clause limiting or precluding the buyer's right to obtain consequential damages as a result of the seller's breach or cancellation of the contract.

Real Property—Warranties—Chapter 761. Requires that new home warranties not expire on the subsequent sale of the dwelling by the original owner, but continue to protect the subsequent purchase until the warranty expires.

Commercial Law—Attorney's Fees—Chapter 644. Permits consumer lenders to collect attorney's fees and court costs from borrowers who default under the terms of a loan.

5. Juvenile and Family Law

Child Abuse—Testimony—Chapter 498. Provides that in a criminal trial the age of the child may not be the sole reason for precluding the child from testifying.

Child Abuse—Testimony—Chapter 495. Permits a judge to allow a child's testimony in abuse cases to be taken outside the courtroom through the use of closed circuit television.

Child Abuse—Protective Order—Chapter 493. Establishes that a temporary *ex parte* order may direct an alleged child abuser to vacate the family home immediately and further permits the court to continue the order up to 25 days.

6. Motor Vehicle Laws

Driving While Intoxicated—Subsequent Convictions—Chapter 599. Provides that if a person is convicted a subsequent time for driving while intoxicated within 3 years of the prior conviction, the individual is subject to a mandatory minimum penalty of imprisonment.

Alcohol Consumption—Chapter 504. Prohibits a person from consuming an alcoholic beverage while driving a motor vehicle.

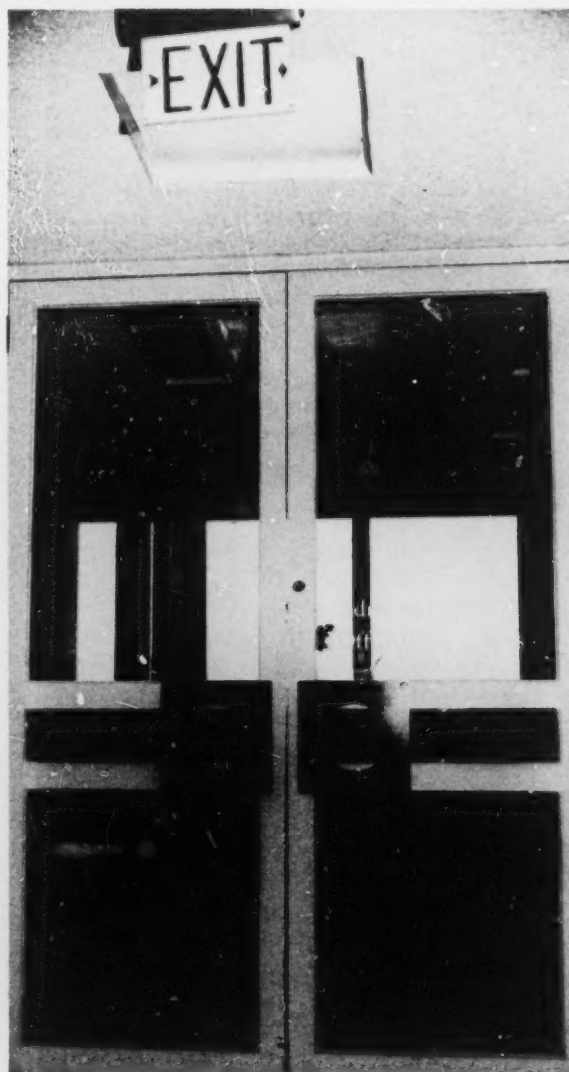
Driver Improvement Programs—License Suspension—Chapter 681. Authorizes the Motor Vehicle Administration to suspend the license of an individual who fails to attend driver improvement or alcohol education programs.

Epilepsy—Chapter 381. Restricts the period of time the Motor Vehicle Administration may suspend, revoke, or refuse to issue or renew a license due to the driver's epilepsy.

7. Mental Health

Competency—Examination—Chapter 687. Provides a court with discretion to confine a defendant in jail or a medical facility pending the examination of the defendant's competency to stand trial.

Individual Rights—Chapter 695. Provides that one of the circumstances under which restraints or locked door seclusions may be used in a mental health facility is to prevent a serious disruption in the therapeutic environment.



State of the Judiciary Message

To a Joint Session of the General Assembly of Maryland

Delivered by
Chief Judge Robert C. Murphy
January 23, 1985

Governor Hughes, Mr. President, Mr. Speaker, Ladies and Gentlemen of the General Assembly:

Once again, at the kind invitation of this distinguished assembly, I am privileged to apprise you, albeit briefly, of the state of the Maryland Judiciary and of some matters affecting judicial branch operations upon which you may wish to reflect at your session this year. Before embarking on this assignment, please permit me the pleasure of acknowledging the presence of some very vital members of our judicial family.

Introductions: Judges of the Court of Appeals; Chief Judge Richard P. Gilbert of the Court of Special Appeals; Judge Raymond G. Thieme, Jr., Chairman of the Conference of Circuit Judges; Judge Robert F. Sweeney, Chief Judge of the District Court of Maryland; Mr. James H. Norris, Jr., State Court Administrator; and Judge John P. Corderman, the present President of the Maryland State Bar Association.

At the conclusion of my last State of the Judiciary Address, I asked Senator Coolahan what he thought of it. In his customary, none too subdued fashion, he said there were three things wrong with the address. First, he said, you read it; second, you read it badly, and third, it wasn't worth reading! I shall strive this year to improve on that record but you must remember that my material is hardly the stuff that dreams are made of—for in all reality the work of the Maryland Judiciary, and of the judges who serve it, is anything but glamorous; rather, we are engaged in a tedious, intense day-to-day struggle to keep abreast of ever lengthening, seemingly endless dockets of complex cases and controversies which, in a most vital and basic way, affect the lives, the liberty, the property, the very well-being of large masses of the people in Maryland. Our operations blanket the entire state; we sit in countless courtrooms in Maryland from the dark and brooding mountains of Garrett County to the white sandy beaches of Ocean City. The work is demanding; it is physically exhausting and emotionally draining. It has and will continue to take its toll of our judges. I assure you nevertheless that our finger is firmly in the dike, and the Maryland Judiciary will continue to discharge its constitutional responsibilities with the highest marks for integrity, dedication, and industry.

Just how well we have accounted for our public stewardship of the third branch of government may be

gleaned, in part at least, from the Annual Report of the Judiciary, which just recently was placed in your hands. Its pages contain full and graphic information essential to the exercise of your public duty to closely monitor judicial branch operations to assure optimum efficiency and effectiveness—for the people of Maryland are entitled to no less.

To compensate for past excesses I shall today spare you a detailed statistical recital of the judiciary's performance over the past year. Instead, I shall lightly touch upon a few fundamentals concerning the structure, composition and workload of the judicial branch; make several, hopefully sage, observations; venture a few recommendations; and close my remarks with a very large and well-deserved "thank you" for your near perfect record of responsiveness and appreciation of the judiciary's many problems and needs.

Maryland, with a population of 4.3 million people, now has 217 authorized district, circuit, and appellate judges serving within a four-tiered, statewide judicial system. The District Court of Maryland, the bottom rung of the judicial ladder, is a single unified nonjury trial court of limited statutory jurisdiction, divided into 12 geographic districts, comprised of 90 judges, with at least one court facility in each county and Baltimore City. The District Court is headed by a chief judge who is its principal administrator and trouble-shooter. The District Court—which many believe constitutes the most important level of the judiciary because of its close contact with such vast numbers of our citizens hears cases of a magnitude less serious than those falling within the original jurisdiction of the circuit courts of the State. Unlike the District Court, the circuit courts are nonunified common law trial courts of general jurisdiction, served by juries, staffed by 107 judges, functioning within eight distinct judicial circuits; there is one circuit court in each county and one in Baltimore City, and they operate independently of each other. The circuit courts within each circuit, and within each political subdivision, are headed by, and under the operational direction, respectively, of a circuit and a county administrative judge. There is no single chief judge of all the circuit courts of the State; there is a chief judge of each judicial circuit, so designated on a seniority basis, who is, however, administratively subordinate to the administrative judge. The Court of Special Appeals is Maryland's single intermediate appellate court. It consists of thirteen judges who sit only in Annapolis, hearing cases in panels, each of which is comprised of three judges. That court is headed by a chief judge and principally is invested with jurisdic-

tion in all appeals emanating from the circuit courts of the State. The Court of Appeals is the state's highest court, and consists of seven judges, all of whom sit together in each case. The Court is headed by a chief judge who is designated by the Maryland Constitution as the administrative head of the entire judicial system. The Court sits only in Annapolis and except for cases involving capital punishment, the legislative apportionment of the State, and certified questions of state law received from the federal courts, the Court's jurisdiction is discretionary; it hears only those cases which it deems of significant public importance, rather than cases of importance merely to the individual litigants.

All of these courts are state courts and all judges who serve upon them are state judges, paid from general fund appropriations included in the state judicial budget; there are no county or municipal courts or judges in our state.

The District Court, the Court of Special Appeals, the Court of Appeals, and the administrative and clerical staff supporting these courts are funded in their entirety, both as to operating and capital needs, by the State. A total of 1035 nonjudicial personnel serves these three courts, the great mass of whom are merit system employees of the District Court. The District Court, the Court of Special Appeals and the Court of Appeals each has its own clerk, together with supporting staff. These clerks are appointed by the court or by the chief judge—they are not elected by the popular will of the people.

The circuit courts of the counties and of Baltimore City are, with the principal exception of the office of the clerk of the circuit court, funded entirely by the political subdivision in which each is located, both as to operating and capital appropriations, and at a level of support determined solely by the local governing body. Collectively, the circuit courts across the State, including the circuit court clerks' offices, employ 1796 nonjudicial personnel, most of whom are not civil service employees. Of this number, 1096 are circuit court clerks' office employees. Unlike the clerk of the District Court, the Court of Special Appeals, and the Court of Appeals, the clerk of each circuit court is a popularly elected constitutional officer, exercising within the courthouse in which he or she is quartered both judicial and nonjudicial functions. Under presently existing law, the clerks of the circuit courts receive no funds from the political subdivisions. They depend upon the fees and commissions produced by their operations to meet the expenses of their offices. Due to economic and other circumstances having no relation to efficiencies of operation, there is a wide variation in the amount of revenue available to support the clerks' offices in various jurisdictions. Some clerks' offices, with greater revenue, have been able to employ adequate numbers of employees to process the work and to purchase state of the art computer and other equipment in support of their operations. Others have not fared so well, leading to imbalances in resources

available to the various clerks' offices. The State, through the state budget, provides limited supplemental funds to cover deficiencies in the operation of some of the clerks' offices. It must be remembered that the clerks are a vital component of the circuit courts, which depend almost exclusively upon them for operational support. Indeed, the circuit courts could not function at all in the absence of the clerks' offices, so that the level of funding available to the clerks in each jurisdiction is a critical factor impacting mightily on the efficient operation of the circuit courts.

The state judicial budget does contain substantial funds, appropriated to the Administrative Office of the Courts, to operate the complex automated data processing system now in place for the Circuit Court for Baltimore City, our largest trial court of general jurisdiction, with roughly one-fourth of the overall circuit court business in the State. In addition, other monies are expended by the Administrative Office of the Courts for automated data processing to support circuit court statistical programs and the so-called Promis criminal justice systems in place in several of our larger counties. **We have now developed the capacity in our data processing unit to assist the circuit court clerks—if they and the circuit court judges who exercise visitatorial power over them are willing—with certain of their responsibilities at what I believe would constitute a substantial savings of public dollars over the coming years.**

The state judicial budget is a very small fraction of the state's total budget, amounting to 0.6 percent. Our current fiscal year appropriation is \$53,701,632. Revenues received from operations and returned to the State, mainly from the District Court, are projected this year to amount to \$34,916,650. Added to the overall costs of operating the state judiciary are monies expended by the clerks of the circuit courts, which amounted to \$25,208,592 in fiscal 1984. Against this figure, the clerks collectively produced from their operations the amount of \$23,923,296. And, finally, the overall personnel and administrative costs to the political subdivisions of running the circuit courts ranged this past year between \$22,443,020 and \$25,000,000, depending upon who was counting. Revenues produced by the circuit courts to offset their operating costs were negligible, amounting to approximately 2 million dollars. Put together in one budget, operating appropriations for the state judiciary would likely total out to a shade higher than the 100 million dollar mark, exclusive of appropriations for capital needs, still less than 1.5 percent of the state budget. This figure does not, of course, include expenses associated with the prosecutorial function, or that of the Public Defender, or the Sheriffs' offices, as these are not deemed components of circuit court costs.

Should this be the year that you require that the State assume all costs of operating its circuit courts, thereby relieving the political subdivisions of that financial burden, I suggest that this body preliminar-

ily consider the method of allocating funds between the various circuit courts, as there presently exists wide differentials in salary levels between nonjudicial employees doing similar work in the different courts, as well as with the numbers of such personnel employed in the various courts to process the work, and in other levels of operational support provided to the different circuit courts. What I am saying is that more is involved—much more—than simply substituting one funding source for another where, as here, the circuit courts are not unified or under one central management. You should know that most circuit court judges are opposed to state assumption of circuit court costs, believing that their courts will fare better if funded locally, and not subjected to what some fear will become a centralized administration of those courts through the Annapolis bureaucracy. Consistent with this position, the Conference of Circuit Court Judges has, by formal resolution, expressed its opposition to any such proposal.

And should this body determine to accept the recommendation of the Legislative Policy Committee's Task Force on Clerks of the Circuit Courts—namely, that the present fee method of funding those offices be abolished in favor of a state general fund appropriation for each clerk—a recommendation with which I agree—consideration should promptly be given to devising a surefire plan to equitably allocate the available resources among the various clerks' offices. This should be done without compromising the existing operations of those clerks who, under the present fee system, have had the financial wherewithal to employ staff in sufficient numbers and to obtain necessary equipment so very essential to a first-run office. This is a matter of the greatest importance since, as I said earlier, the circuit courts are virtually dead in the water without the requisite level of assistance from the clerks.

A measure of appreciation of the magnitude of judicial branch activity may be gleaned from an overall look at case load figures, bearing in mind that the state's two great metropolitan areas spawn a special breed of highly sophisticated legal controversies and disputes between citizens, between citizens and their governments themselves. In the District Court, civil filings, which include traffic matters, numbered 1,369,606 in fiscal 1984; of this number over a quarter of a million—388,541, to be exact—resulted in contested trials before the judges of the District Court—roughly 4000 such trials this year on an average for each District Court judge. In considering these figures, you should realize that the District Court is not primarily a traffic court, as the average District Court judge spends only 17 percent of bench time in the trial of routine traffic cases. The remaining 83 percent is spent presiding over criminal or civil cases or over those serious motor vehicle cases that are punishable by incarceration.

In the circuit courts, 162,081 cases of all

varieties—criminal, civil, equity, and juvenile—were filed in fiscal 1984; of this number, 148,065 were disposed of during the year, a constantly growing number of which were protracted cases consuming many days of trial, frequently at public expense so considerable as to make the most hardened cost accountant wince.

The work of the appellate courts has stabilized within the past year. In particular, the number of criminal appeals in the Court of Special Appeals has leveled off, due almost entirely to the measure you recently enacted prohibiting an appeal as of right to that court in criminal cases where the defendant entered a guilty plea in the circuit court. Each judge of the Court of Special Appeals now writes roughly 100 opinions a year, far in excess of the national standard for intermediate appellate courts. And, were it not for your foresight in limiting the right of appeal in the manner indicated, an additional Court of Special Appeals judge would likely have been necessary this year.

While on the subject of judgeships, each year, in accordance with a policy which you initiated, I formally certify the number of new judges which I believe are necessary to properly operate our court system. A comprehensive set of factors is determinative of our request, including the pragmatic realization that the case load of the courts will always increase in far greater proportion than the number of judgeships which you can reasonably authorize. Seventeen new circuit and four new District Court judgeships have been created since 1979, far less than the corresponding percentage increase in the cases filed in those courts within that time. In fact, since I became chief judge in 1972, the District Court's case load has increased by 87 percent. Drunk driving cases alone have increased threefold over the past five years, from 11,656 cases in 1979 to 34,171 this past year. The case load of the circuit courts has increased by 67 percent since 1972. Of even greater import is the fact that the time it takes to try cases in these courts has greatly lengthened over the past ten years.

All of us realize the need for innovative methods to reduce the number of cases actually tried in our courts. Most circuit courts now require mandatory settlement conferences in civil cases. Baltimore County, under the leadership of Circuit Administrative Judge Frank E. Cicone, has pioneered a mandatory pretrial settlement conference in each civil jury case, utilizing retired Judge H. Kemp MacDaniel as a part-time Settlement Master—his compensation paid by the county, and not the State. In 1983, Judge MacDaniel presided over 1648 such conferences, settling 1197 cases without trial—a 73 percent success rate. In 1984, he held conferences in 1570 such cases, settling 1261 of them—an 80 percent success rate. The savings in time and money to the circuit court system in Baltimore County has been enormous, indeed almost beyond calculation. Baltimore City has recently initiated the same practice with most encouraging

results, utilizing retired Judge Albert L. Sklar as Settlement Master in that jurisdiction.

With the number of civil disputes escalating with each passing year, it is doubtful, as we press on toward the 21st century, if any courthouse in Maryland will be large enough to contain all the judges that will be needed if we persist in resolving all such cases through the traditional exercise of judicial power. **Some civil disputes, particularly including some domestic matters, simply must be more expeditiously and less expensively resolved by nonjudicial alternatives—for example by mandatory and binding arbitration procedures, utilizing lawyers and other professionals as arbitrators, conciliators and mediators, without direct court involvement.** A number of organizations, including the Maryland State Bar Association, are engaged in serious studies along these lines and, because the matter so implicates the public policy of this State—the declaration of which is normally the function of the legislature—the subject will necessarily find its way to these legislative halls for evaluation. In the meantime, my new judge certification this year is limited to two circuit court judgeships: one in Montgomery and the other in Prince George's County.

Turning now to matters in a less esoteric vein, your initiative in authorizing the recall to service of resigned and retired judges on a temporary basis to meet critical judicial manpower shortages has been a godsend, enabling us to plug holes in our judicial roster caused by extended illness of judges and to compensate for the delay which necessarily accompanies the filling of vacant judgeships. This past fiscal year we utilized such judges for 347 days in the circuit courts; for 230 days in the District Court; and for 138 days in the appellate courts.

Also of interest to you is that, in 1981, the Judiciary created a "Judicial Institute," with a Board of Directors comprised of judges from each court level, lawyers and state law school professors. Through the Institute, we have developed a cost effective in-state continuing judicial education program for judges, both those newly appointed as well as those veteran jurists long in the trenches. The Institute provides a diverse curriculum. For example, it will offer sixteen programs this year to all Maryland judges who will select two days of courses tailored to their current educational needs. We have thus substantially reduced our need to send judges to expensive out-of-state educational programs, although we will—budget and time permitting—continue to utilize the National College of the Judiciary in Reno on a very selective basis for intensive training for newly appointed judges.

On an equally positive note, let me say a word about the District Court's capital construction program. When that court became operational in 1971, of the 50 buildings then occupied by predecessor courts, 30 ranged from bad to horrible, 9 were deemed suitable, and 11 were classified as good to excellent. Now, almost 14 years later, all of the 30 "bad to hor-

rible" buildings have been abandoned, some for better temporary quarters, but most for state constructed, properly designed, and attractive quarters in District Court Multi-Service Centers throughout our state. In Elkton and Bel Air, in Ellicott City and Glen Burnie, in Catonsville and Essex, and in Annapolis, Centreville and Denton, you have provided housing for the court which should suit its needs well into the next century; and in Frederick and Westminster, the State and county governments, working together, have provided new court housing for the joint use of district and circuit courts. In addition, work will soon begin on a much delayed and badly needed District Court building in Upper Marlboro. And work will shortly be completed on the first of three District Court buildings in Baltimore City. These court facilities will totally remove the District Court from the overcrowded and substandard police buildings in which it has all too long been quartered in our largest jurisdiction.

Another court of your creation—the **Court of Special Appeals**—is no longer, as it originally was, a court of limited special appellate jurisdiction. Through your enactments, that court now exercises appellate jurisdiction in all appeals of right, except in death penalty cases. **It deserves to be renamed "The Appellate Court of Maryland,"** to more appropriately reflect the court's important role in the State's judicial hierarchy, as recommended by the Fisher Commission, and as favored by the judges of that court and by the Maryland Judicial Conference. To change the court's name at this time would do no violence to Maryland history, as the court has been in existence only since 1967.

For your information, the **Court of Appeals**, upon the recommendation of its Standing Committee on Rules, and after much study adopted, effective July 1, 1984, an almost completely revised set of rules governing practice and procedure in the courts of Maryland, far more succinct and much reduced in volume from its bulky and outdated precursor. The work, of many years duration, is one of monumental achievement, which should serve us well into the next century. **The members of the Court's rules committee, consisting of judges, lawyers (two of whom are members of this body) and one circuit court clerk, are deserving of the very highest accolades for a positively superb piece of work in the public interest.**

Also of interest to you is the hard fact that in the past year the trial judges of Maryland, acting through various of their committees and conferences, have expressed grave concern over the failure of the Department of Health and Mental Hygiene, and its institutions, to honor court commitments of persons believed to be mentally ill or retarded, alcoholic, or addicted to narcotic drugs. It is the judiciary's position that the Department has a clear responsibility under the governing statutes which you enacted to accept such individuals, who have been charged with a criminal offense, for examination, evaluation or treatment. It is

the Department's position that it cannot honor such commitments because of the absence of secure facilities to house these individuals, and because of its concern that they may escape from custody and commit other criminal acts. This is an area greatly in need of immediate resolution if a clash of Titans is to be avoided. We in the judiciary will support any effort which you may undertake to deal with the unfortunate individuals caught in the midst of this controversy.

On another subject, you will recall that Hamlet's soliloquy numbers the law's delay among life's burdens. Recognizing the public's exasperation over prolonged delays in the trial of serious criminal cases, you enacted a statute requiring that criminal cases in the circuit courts be tried within 180 days unless postponed for good cause. That statute, and an implementing rule of the Court of Appeals, has been strictly applied and has resulted, by way of sanction, in the dismissal of some indictments where the legislative mandate was not heeded by the prosecution. While such dismissals initially produced loud and heated opposition, you declined to change the law. And I am pleased to report that, today, there is ungrudging compliance with the 180 day rule, since all components of the criminal justice system now recognize that the rule's firm application has reaped huge dividends in the prompt and certain disposition of criminal cases in our circuit courts.

You should know, however, that the ability of our circuit courts to remain in compliance with the 180-day rule, and to maintain orderly criminal case scheduling processes is being newly threatened by an old menace—the jury trial request filed in criminal cases within the original jurisdiction of the District Court. As you know, a defendant is entitled under Maryland law to a jury trial where the criminal offense is punishable by incarceration for more than 90 days. As there are no juries in the District Court, a defendant who requests and is entitled to a jury trial has the case removed to the circuit court; usually the request is made on the day of trial and results in the case being abruptly withdrawn from the District Court's docket, with great inconvenience to the victim, the witnesses, the police and the prosecution, all of them then and there assembled for trial of the case. The case, of course, must be rescheduled for trial, usually many weeks or months later, in the circuit court. In actuality, with infinitesimal exceptions, the defendant does not want a jury trial and once in the circuit court's jurisdiction, waives that mode of trial. The real purpose in praying a jury trial is simply to obtain a postponement, to avoid a particular judge, to judge-shop, or to force a more favorable plea bargain upon the state, to cite but several reasons. In 1981, you enacted a measure eliminating the right to a jury trial in any case in which the prosecutor recommended, and the District Court judge agreed, to a sentence less than 90 days upon conviction. This legislation assisted materially in resolving the jury prayer problem but,

upon legal challenge in mid-1984, that law was found to violate the Maryland Constitution in its application to the offense of theft, which carried an authorized sentence in excess of 90 days. The court concluded that the jury trial right could not be so restricted in such a case, even where it was agreed that a sentence greater than 90 days would not be imposed. Considerable uncertainty thereafter ensued, with the result that District Court judges and prosecutors began honoring all requests for jury trials where the offense carried a penalty greater than 90 days—a not imprudent decision since, subsequently, the Court's ruling was extended to the offense of driving while intoxicated, a class of cases punishable by more than ninety days' incarceration. The circuit courts across the State are now swamped with jury trial requests in such cases; indeed, the proliferation of such requests is now virtually out of control. For example, in Baltimore City, there were 1200 such requests in the month of November alone. In Prince George's County, a circuit judge had a docket consisting of 362 such cases for trial on one day. We anticipate that these fake jury trial cases, by the thousands, will clog the circuit courts in 1985, thereby preempting the time and eroding the efforts of judges now devoted to trying serious felony and civil cases.

How legislatively to meet this new crisis is a question which does not admit of easy answer. A general downgrading of existing misdemeanor offenses to carry penalties of less than ninety days has been suggested by some; others suggest the wisdom of authorizing six-person juries in the District Court, thereby retaining jurisdiction in that court over such cases; still others suggest requiring a 5 to 10 day notice in advance of trial of the intention to request a jury trial as a means to eliminate such requests on the day of trial; some suggest a state constitutional amendment, limiting the right to a jury trial to the federal constitutional standard, which is six months' incarceration. The problem is of nightmarish proportions and I urge its review by a legislatively created committee, comprised of knowledgeable legislators, with assistance, if required, from the Governor's Criminal Justice Coordinating Council or the Maryland Judicial Conference.

In a lighter manner, the story is told that Lady Astor, aboard the ill-fated Titanic, just moments before the tragedy, had ordered some ice for her stateroom. When only seconds later, the iceberg stuck its ominous nose through the hull of the ship, she reportedly said, "I just asked the steward for some ice, but this is more than I need." The Maryland Judiciary, like Lady Astor, does not seek more than it needs to successfully perform its mission in our tripartite system of state government. To this end, we urge reconsideration of several proposed measures which, in past years, have not found favor with this body. We continue to seek the abolition of the wasteful trial *de novo* procedure in favor of all appeals from the District Court to the

circuit courts being conducted on the record. And we again point to advantages of using six-person juries in the trial of civil cases in the circuit courts. This would not impair the integrity of the jury function, but rather would enhance its effectiveness at considerably less cost to the political subdivisions, which now pay all jury costs. At the same time, such legislation would greatly reduce the inconvenience and financial sacrifice of those called for jury duty. **In a similar vein, we also seek legislation that would cut in half the present high number of peremptory challenges permitted in criminal jury cases where the authorized sentence is greater than 20 years but less than life imprisonment.** To so legislate is not to short-change justice, but rather to promote it, without the remotest possibility of reducing the ability of the accused to eliminate racial prejudice in the jury selection process.

Of course, the judiciary's first and highest priority supported by all but a few of Maryland's 217 judges, by countless study commissions over the past forty years, and most recently by your own legislatively created Fisher Commission, is the removal by constitutional amendment of circuit court judges from the political election process. For reasons which you have heard time and again, we ask that circuit judges, like appellate judges, be elected by the people solely on the basis of their judicial records—a clean, clear, and

meaningful choice where the judge should or should not be continued in office. Our dogged persistence on this issue simply reflects the extreme urgency of the problem, since no less is involved than the future health and well-being of the very heart of the Maryland Judiciary. Should the people be permitted to vote on this question, and vote against the amendment, that would, of course, end the matter, and indeed be the end of me—a prospect well worth contemplating in your deliberations.

On behalf of my fellow judges, as well as all personnel of the judicial department, I express to you ladies and gentlemen of the General Assembly our deepest appreciation and grateful thanks for all the assistance and help which you have provided to us over the years.



Judicial Maps and Members of the Judiciary

as of September 20, 1985



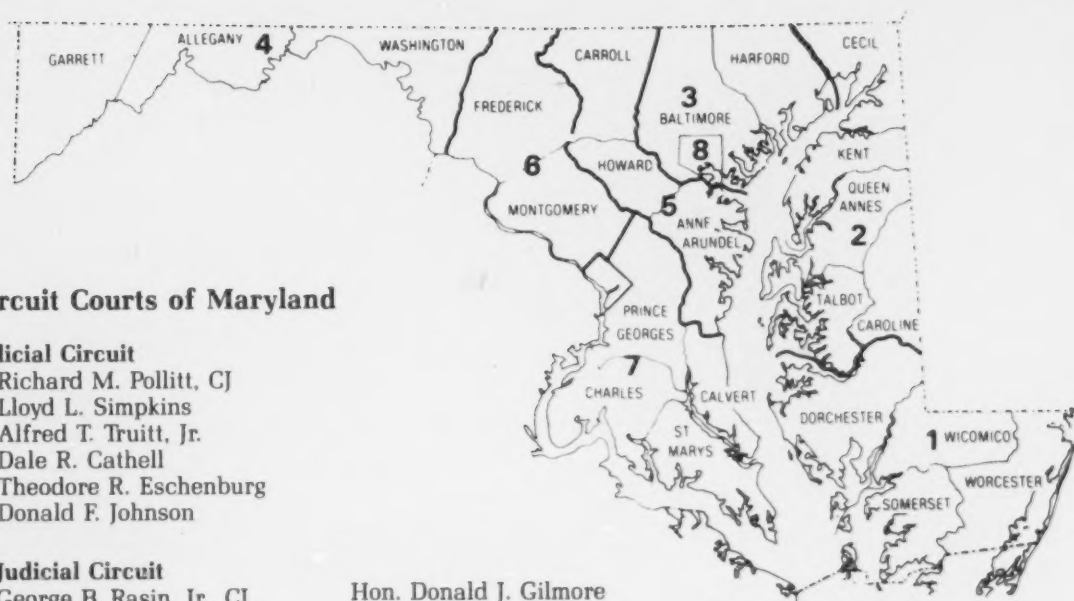
Appellate Judicial Circuits

The Court of Appeals of Maryland

Hon. Robert C. Murphy, CJ (2)
 Hon. Marvin H. Smith (1)
 Hon. John C. Eldridge (5)
 Hon. Harry A. Cole (6)
 Hon. Lawrence F. Rodowsky (6)
 Hon. James F. Couch, Jr. (4)
 Hon. John F. McAuliffe (3)

The Court of Special Appeals of Maryland

Hon. Richard P. Gilbert, CJ (6)
 Hon. Charles E. Moylan, Jr. (At large)
 Hon. Alan M. Wilner (At large)
 Hon. Edward O. Weant, Jr. (At large)
 Hon. John J. Bishop, Jr. (At large)
 Hon. John J. Garrity (4)
 Hon. William H. Adkins, II (1)
 Hon. Paul E. Alpert (2)
 Hon. Theodore G. Bloom (5)
 Hon. Rosalyn B. Bell (At large)
 Hon. Robert L. Karwacki (At large)
 Hon. Robert M. Bell (6)
 Vacancy (3)



The Circuit Courts of Maryland

First Judicial Circuit

*Hon. Richard M. Pollitt, CJ
 Hon. Lloyd L. Simpkins
 Hon. Alfred T. Truitt, Jr.
 Hon. Dale R. Cathell
 Hon. Theodore R. Eschenburg
 Hon. Donald F. Johnson

Second Judicial Circuit

*Hon. George B. Rasin, Jr., CJ
 Hon. Clayton C. Carter
 Hon. Donaldson C. Cole, Jr.
 Hon. J. Owen Wise
 Hon. Edward D. E. Rollins, Jr.
 Hon. John C. North, II

Third Judicial Circuit

Hon. John E. Raine, Jr., CJ
 Hon. Albert P. Close
 *Hon. Frank E. Cicone
 Hon. Edward A. DeWaters, Jr.
 Hon. William R. Buchanan
 Hon. Brodnax Cameron, Jr.
 Hon. Austin W. Brizendine
 Hon. James S. Sfekas
 Hon. J. William Hinkel
 Hon. John F. Fader, II
 Hon. Cypert O. Whitfill
 Hon. A. Owen Hennegan
 Hon. Leonard S. Jacobson
 Hon. William O. Carr
 Hon. Joseph F. Murphy, Jr.
 Hon. William M. Nickerson
 Vacancy

Fourth Judicial Circuit

Hon. Frederick A. Thayer, III, CJ
 Hon. John P. Corderman
 *Hon. Frederick C. Wright, III
 Hon. J. Frederick Sharer
 Hon. Daniel W. Moylan
 Hon. Gary G. Leasure

Fifth Judicial Circuit

Hon. Morris Turk, CJ
 Hon. Guy J. Cicone
 Hon. Bruce C. Williams
 *Hon. Raymond G. Thieme, Jr.
 Hon. Robert F. Fischer

Hon. Donald J. Gilmore
 Hon. H. Chester Goudy, Jr.
 Hon. Luke K. Burns, Jr.
 Hon. Eugene M. Lerner
 Hon. Martin A. Wolff
 Hon. J. Thomas Nissel
 Hon. Robert S. Heise
 Hon. James C. Cawood, Jr.
 Hon. Raymond J. Kane, Jr.
 Hon. Robert H. Heller, Jr.

Sixth Judicial Circuit

*Hon. David L. Cahoon, CJ
 Hon. John J. Mitchell
 Hon. Richard B. Latham
 Hon. Stanley B. Frosh
 Hon. William M. Cave
 Hon. Calvin R. Sanders
 Hon. William W. Wenner
 Hon. James S. McAuliffe, Jr.
 Hon. Irma S. Raker
 Hon. William C. Miller
 Hon. L. Leonard Ruben
 Hon. DeLawrence Beard
 Hon. Clater W. Smith, Jr.
 Hon. G. Edward Dwyer, Jr.
 Hon. Peter J. Messitte
 Vacancy

Seventh Judicial Circuit

*Hon. Ernest A. Loveless, Jr., CJ
 Hon. Perry G. Bowen, Jr.
 Hon. William H. McCullough
 Hon. James H. Taylor
 Hon. Joseph A. Mattingly
 Hon. Jacob S. Levin
 Hon. George W. Bowling
 Hon. Albert T. Blackwell, Jr.
 Hon. Robert J. Woods
 Hon. Howard S. Chasanow

Hon. Vincent J. Femia
 Hon. Robert H. Mason
 Hon. Audrey E. Melbourne
 Hon. David Gray Ross
 Hon. James M. Rea
 Hon. Richard J. Clark
 Hon. Arthur M. Ahalt
 Hon. G. R. Hovey Johnson
 Hon. Joseph S. Casula
 Vacancy

Eighth Judicial Circuit

Hon. Robert I. H. Hammerman, CJ
 Hon. David Ross
 Hon. Marshall A. Levin
 Hon. Mary Arabian
 Hon. Martin B. Greenfeld
 Hon. Milton B. Allen
 *Hon. Joseph H. H. Kaplan
 Hon. Edgar P. Silver
 Hon. Solomon Baylor
 Hon. Elsbeth Levy Bothe
 Hon. Joseph I. Pines
 Hon. John Carroll Byrnes
 Hon. Thomas Ward
 Hon. Kenneth Lavon Johnson
 Hon. Edward J. Angeletti
 Hon. Arrie W. Davis
 Hon. Thomas E. Noel
 Hon. David B. Mitchell
 Hon. Hilary D. Caplan
 Hon. Kathleen O'Ferrall Friedman
 Hon. Marvin B. Steinberg
 Hon. Clifton J. Gordy, Jr.
 Hon. Mabel H. Hubbard

*Circuit Administrative Judge



The District Court of Maryland

District Court

Hon. Robert F. Sweeney, CJ

District 1

Hon. Carl W. Bacharach
 Hon. Robert J. Gerstung
 Hon. Daniel Friedman
 Hon. Sol Jack Friedman
 Hon. Martin A. Kircher
 Hon. James L. Bundy
 Hon. Alan M. Resnick
 Hon. James J. Welsh, Jr.
 *Hon. Joseph A. Ciotola
 Hon. Blanche G. Wahl
 Hon. Richard O. Motsay
 Hon. Alan B. Lipson
 Hon. George J. Helinski
 Hon. Mary Ellen T. Rinehardt
 Hon. Charlotte M. Cooksey
 Hon. Paul A. Smith
 Hon. H. Gary Bass
 Hon. Keith E. Mathews
 Hon. John C. Themelis
 Hon. Askew W. Gatewood, Jr.
 Hon. Alan J. Karlin
 Hon. Roger W. Brown
 Hon. Carol E. Smith

District 2

Hon. Robert D. Horsey
 Hon. D. William Simpson
 *Hon. Thomas C. Groton, III
 Hon. John L. Norton, III

District 3

Hon. Walter E. Buck, Jr.
 *Hon. Kenneth A. Wilcox
 Hon. L. Edgar Brown
 Hon. John T. Clark, III
 Hon. H. Thomas Sisk, Jr.
 Hon. William H. Adkins, III

District 4

Hon. Larry D. Lamson
 *Hon. Robert C. Nalley
 Hon. C. Clarke Raley

District 5

Hon. Thomas R. Brooks
 Hon. Sylvania W. Woods
 Hon. Irving H. Fisher
 *Hon. Graydon S. McKee, III
 Hon. Francis A. Borelli
 Hon. Bond L. Holford
 Hon. Bess B. Lavine
 Hon. Theresa A. Nolan
 Hon. William D. Missouri
 Hon. C. Philip Nichols, Jr.

District 6

Hon. Douglas H. Moore, Jr.
 Hon. John C. Tracey
 Hon. Charles W. Woodward, Jr.
 Hon. Stanley Klavan
 *Hon. Thomas A. Lohm
 Hon. Henry J. Monahan
 Hon. Louis D. Harrington
 Hon. Edwin Collier
 Hon. Paul H. Weinstein
 Hon. Cornelius J. Vaughey

District 7

*Hon. Thomas J. Curley
 Hon. George M. Taylor
 Hon. Robert N. Lucke, Sr.
 Hon. Donald M. Lowman
 Hon. Martha G. Wyatt
 Hon. Lawrence H. Rushworth

District 8

Hon. Edward D. Hardesty
 Hon. James Kardash
 Hon. Werner G. Schoeler
 Hon. Gerard W. Wittstadt
 Hon. John P. Rellas

Hon. William S. Baldwin

*Hon. John H. Garmer
 Hon. A. Gordon Boone, Jr.
 Hon. Patricia S. Pytash
 Hon. Alfred L. Brennan, Sr.
 Hon. Christian M. Kahl
 Hon. Barbara Kerr Howe

District 9

*Hon. Harry St. A. O'Neill
 Hon. Edwin H. W. Harlan, Jr.
 Hon. John S. Landbeck, Jr.

District 10

Hon. Donald M. Smith
 *Hon. Francis M. Arnold
 Hon. Diane G. Schulte
 Hon. R. Russell Sadler
 Hon. James N. Vaughan

District 11

*Hon. Mary Ann Stepler
 Hon. Darrow Glaser
 Hon. James F. Strine
 Hon. Herbert L. Rollins

District 12

Hon. Miller Bowen
 *Hon. Paul J. Stakem
 Hon. Jack R. Turney

*District Administrative Judge

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Definitions

Adoption, Guardianship—This includes all adoptions and guardianships including regular adoptions, guardianship with right to adoption and guardianship with right to consent to long-term case short of adoption. Guardianships of incompetents are reported in "Other—General."

Adult—A person who is 18 years old or older charged with an offense relating to juveniles to be heard in Juvenile Court. (See § 3-831 of Courts and Judicial Proceedings Article.)

Appeal—The resorting to a higher court to review, rehear, or retry a decision of a tribunal below. This includes appeals to the circuit court, the Court of Special Appeals, and the Court of Appeals.

Appeals to the circuit courts include:

1. Record—The judge's review of a written or electronic recording of the proceedings in the District Court.
2. De Novo—The retrial of an entire case initially tried in the District Court.
3. Administrative Agency—Appeals from decisions rendered by administrative agencies. For example:

- Department of Personnel
- County Commissioner
- Department of Taxation and Assessments
- Employment Security
- Funeral Director
- Liquor License Commissioners
- Physical Therapy
- State Comptroller (Sales Tax, etc.)
- State Motor Vehicle Authority
- Supervisors of Elections
- Workmen's Compensation Commission
- Zoning Appeals
- Any other administrative body from which an appeal is authorized.

Application For Leave To Appeal—Procedural method by which a petitioner seeks leave of the Court of Special Appeals to grant an appeal. When it is granted, the matter addressed is transferred to the direct appeal docket of the Court for customary briefing and argument. Maryland Statutes and Rules of Procedure permit applications in matters dealing with post conviction, inmate grievances, appeals from final judgments following guilty pleas, and denial of or grant of excessive bail in habeas corpus proceedings.

Case—A matter having a unique docket number; includes original and reopened (post judgment) matters. (Note: In fiscal years 1981 and 1982, reopened matters only include those cases which had a hearing.)

Caseload—The total number of cases filed or pending with a court during a specific period of time. Cases may include all categories of matters (law, equity, juvenile, and criminal). Note: After July 1, 1984, law and equity were merged into a new civil category.

C.I.N.A.—Child in Need of Assistance—Refers to a child who needs the assistance of the court because:

1. The child is mentally handicapped or
2. Is not receiving ordinary and proper care and attention and
3. The parents, guardian or custodian are unable or unwilling to give proper care and attention.

C.I.N.S.—Child in Need of Supervision—Refers to a child who requires guidance, treatment or rehabilitation because of habitual truancy, ungovernableness or behavior that would endanger himself or others. Also included in this category is the commission of an offense applicable only to children.

Condemnation—The process by which property of a private owner is taken for public use without the owner's consent but upon the award and payment of just compensation.

Contested Confessed Judgment—The act of a debtor in permitting judgment to be entered by his creditor immediately upon filing of a written statement by the creditor to the court.

Contracts—A case involving a dispute over oral or written agreements between two or more parties.
Breaches of verbal or written contracts
Landlord/tenant appeals from District Court

Delinquency—Commission of an act by a juvenile which would be a crime if committed by an adult.

Disposition—Entry of final judgment in a case.

District Court—Contested—Only applies to civil, a case that has gone to trial and both parties (plaintiff and defendant) appear.

District Court Criminal Case—Single defendant charged per single incident. It may include multiple charges arising from the same incident.

District Court Filing—The initiation of a civil action or case in the District Court. District Court crim-

inal and motor vehicle cases are reported as "processed" rather than as "filed."

Divorce, Nullity—A proceeding to dissolve a marriage. Original filings under this category include divorce a vinculo matrimonii, divorce a mensa et thoro, and annulment. A reopened case under this category includes hearings held after final decree or other termination in the original case. A reopened case may involve review of matters other than the divorce itself as long as the original case was a divorce. (Examples of the latter may be a contempt proceeding for nonpayment of support, noncompliance with custody agreement, modification of support, custody, etc.)

Docket—Formal record of court proceedings.

Filing—Formal commencement of a judicial proceeding by submitting the necessary papers pertaining to it. Original filing under one docket number and subsequent reopenings under the same number are counted as separate filings. (Note: In fiscal years 1981 and 1982, reopened filings include only those reopened cases which had a hearing.)

Fiscal Year—The period of time from July 1 of one year through June 30 of the next. For example: July 1, 1984 to June 30, 1985.

Hearings

- **Criminal**—Any activity occurring in the courtroom, or in the judge's chambers on the record and/or in the presence of a clerk, is considered a hearing, except trials or any hearing that does not involve a defendant.

Examples of Hearings in Criminal

- Arraignment
- Discovery motion
- Guilty plea
- Motion to quash
- Motion to dismiss
- Motion for change of venue
- Motion to continue
- Motion to suppress
- Motion to sever
- Nolo contendere
- Not guilty with agreed statement of facts
- Sentence modifications
- Violation of probation

- **Civil**—A presentation either before a judge or before a master empowered to make recommendations, on the record or in the presence of a clerk or court reporter, for purposes other than final determination of the facts of the case. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Civil

- Motion to compel an answer to an interrogatory

- Motion ne recipiatur
- Motion for judgment by default
- Demurrer
- Motion for summary judgment
- Motion to vacate, open, or modify confession of judgment
- Preliminary motions presented in court, including motions for continuance
- Determination of alimony pendente lite, temporary custody, etc. in a divorce case
- Contempt or modification hearings

- **Juvenile**—A presentation before a judge, master, or examiner on the record in the presence of a clerk or court reporter. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Juvenile

- Preliminary motions presented in court
- Arraignment or preliminary inquiry
- Detention (if after filing of petition)
- Merits or adjudication
- Disposition
- Restitution
- Waiver
- Review
- Violation of probation

Indictment—The product of a grand jury proceeding against an individual.

Information—Written accusation of a crime prepared by the State's Attorney's Office.

Jury Trial Prayer—Motor Vehicle—A request for trial by jury in the circuit court for a traffic charge normally heard in the District Court. To pray a jury trial in a motor vehicle case, the sentence must be for more than six months.

Jury Trial Prayer—Other (Criminal)—A request for a trial by jury in the circuit court for charges normally heard in the District Court, **except** traffic charges or nonsupport.

Miscellaneous Docket—Established and maintained primarily as a method of recording and identifying those preliminary proceedings or collateral matters before the Court of Appeals other than direct appeals.

Motor Torts—Personal injury and property damage cases resulting from automobile accidents. (This does not include boats, lawn mowers, etc., nor does it include consent cases, settled out of court.)

Motor Vehicle Appeals—An appeal of a District Court verdict in a traffic charge.

Nolle Prosequi—A formal entry upon the record by the plaintiff in a civil suit, or the State's Attorney in a criminal case, to no longer prosecute the case.

Nonsupport—A criminal case involving the charge of nonsupport.

Original Filing—See "Filing."

Other Appeals (Criminal)—An appeal of a District Court verdict **except** one arising from a traffic charge or nonsupport.

Other Domestic Relations—Matters related to the family other than divorce, guardianship, adoption or paternity. Examples of this category include support, custody, and U.R.E.S.A. cases.

Other Civil/Other Equity—This category includes, among other things, injunctions, change of name, foreclosure, and guardianship of incompetent persons.

Other Law—This category includes, among other things, conversion, detinue, ejectment, issues from Orphans' Court, attachments on original process, and mandamus.

Other Torts—Personal injury and property damage cases resulting from:

- Assault and battery—an unlawful force to inflict bodily injury upon another.
- Certain attachments.
- Consent tort.
- False imprisonment—the plaintiff is confined within boundaries fixed by the defendant for some period of time.
- Libel and slander—a defamation of character.
- Malicious prosecution—without just cause an injury was done to somebody through the means of a legal court proceeding.
- Negligence—any conduct falling below the standards established by law for the protection of others from unreasonable risk of harm.

Paternity—A suit to determine fatherhood responsibility of a child born out of wedlock.

Pending Case—Case in which no final disposition has occurred.

Post Conviction—Proceeding instituted to set aside a conviction or to correct a sentence that was unlawfully imposed.

Reopened Filing—The first hearing held on a case after a final judgment on the original matter has been entered.

Stet—Proceedings are stayed; one of the ways a case may be terminated.

Termination—Same as "Disposition."

Trials

• **Criminal**

Court Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant where one or more witnesses has been sworn.

Jury Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant, where the jury has been sworn.

• **Civil**

Court Trial—A hearing on the merits of the case before a judge, to present evidence for the final disposition, where testimony is given by one or more persons.

OR

A contested hearing (excluding preliminary motion) on the facts of the case to decide in favor of either party where testimony is given by one or more persons.

Jury Trial—A contested hearing on the facts of the case to decide in favor of either party where the jury has been sworn.

Unreported Category—A case that has been reported but not specifically identified as to case type by the reporting court.

The Court of Appeals

TABLE CA-1

DISPOSITION OF TOTAL CASELOAD COURT OF APPEALS

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

Regular Docket	161
Petitions for Certiorari	678
Attorney Grievance Proceedings	34
Bar Admissions Proceedings	7
Certified Questions of Law	5
Miscellaneous Appeals	25
Total Dispositions	910

TABLE CA-2

PETITION DOCKET DISPOSITIONS*

(Petitions for Certiorari)

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Granted	Dismissed	Denied	Withdrawn	Total
PETITIONS	90	6	581	1	678
Civil	56	6	262	1	325
Criminal	34	0	319	0	353

*713 filed in fiscal year 1985.

TABLE CA-3
FIVE-YEAR COMPARATIVE TABLE
PETITIONS FOR CERTIORARI GRANTED
FISCAL 1981-FISCAL 1985

Fiscal Year	Total Dispositions	Number Granted	Percentage
1981	655	129	19.7
1982	642	121	18.8
1983	627	120	19.1
1984	785	136	17.3
1985	678	90	13.3

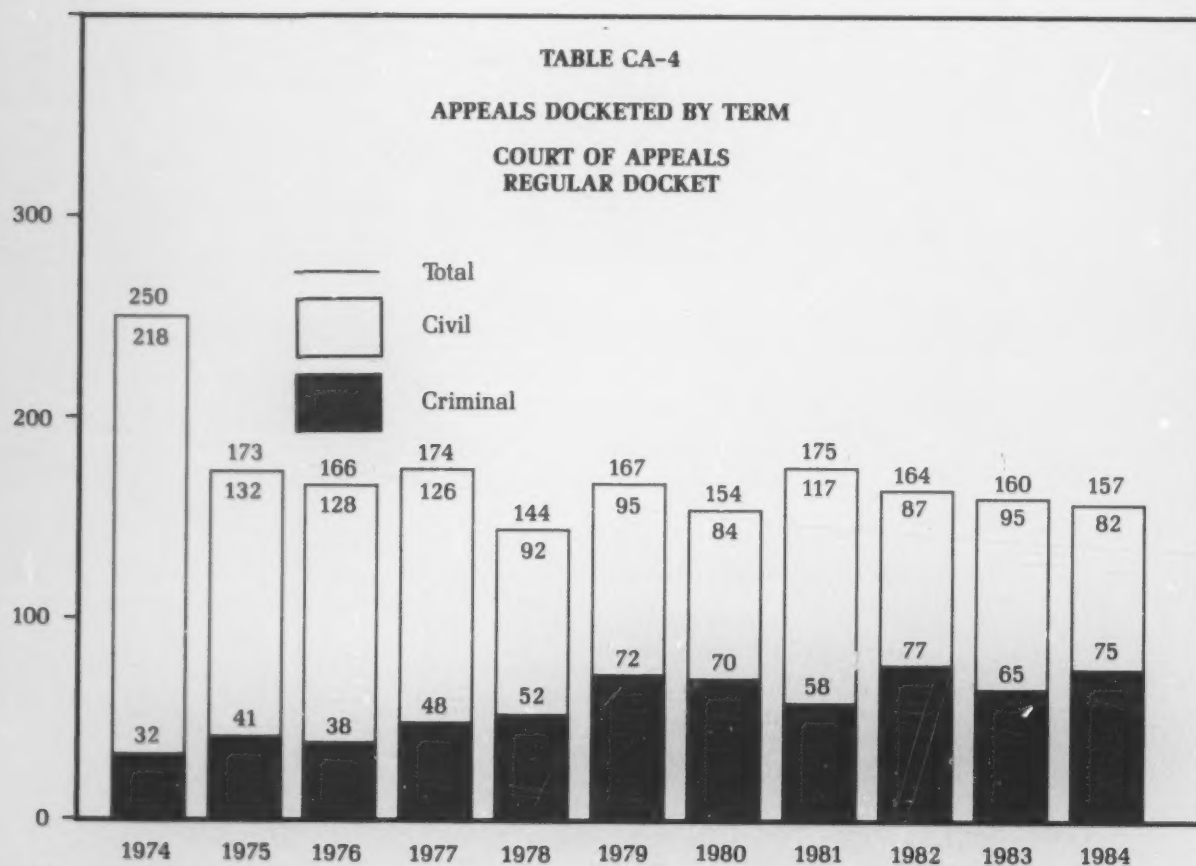
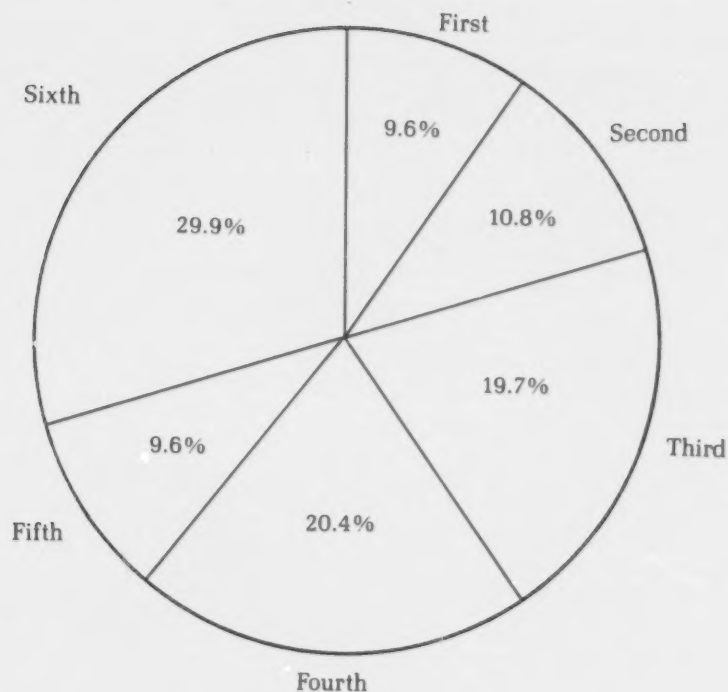


TABLE CA-5
ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS AND COUNTIES
COURT OF APPEALS

1984 TERM

FIRST APPELLATE CIRCUIT		15
Caroline County	0	
Cecil County	2	
Dorchester County	1	
Kent County	1	
Queen Anne's County	0	
Somerset County	6	
Talbot County	0	
Wicomico County	1	
Worcester County	4	
SECOND APPELLATE CIRCUIT		17
Baltimore County	10	
Harford County	7	
THIRD APPELLATE CIRCUIT		31
Allegany County	0	
Frederick County	4	
Garrett County	1	
Montgomery County	24	
Washington County	2	
FOURTH APPELLATE CIRCUIT		32
Calvert County	2	
Charles County	4	
Prince George's County	26	
St. Mary's County	0	
FIFTH APPELLATE CIRCUIT		15
Anne Arundel County	8	
Carroll County	2	
Howard County	5	
SIXTH APPELLATE CIRCUIT		47
Baltimore City	47	
TOTAL		157

TABLE CA-6
ORIGIN OF APPEALS
BY
APPELLATE JUDICIAL CIRCUITS
COURT OF APPEALS
1984 TERM



First Appellate Circuit—15 or 9.6%
Second Appellate Circuit—17 or 10.8%
Third Appellate Circuit—31 or 19.7%
Fourth Appellate Circuit—32 or 20.4%
Fifth Appellate Circuit—15 or 9.6%
Sixth Appellate Circuit—47 or 29.9%
Total—State—157 or 100%

TABLE CA-7
DISPOSITION OF
COURT OF APPEALS CASES
Regular Docket
JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Civil	Juvenile	Criminal	Total
Affirmed	32	1	32	65
Reversed	30	0	24	54
Dismissed—Opinion Filed	2	0	1	3
Dismissed Without Opinion	4	0	4	8
Remanded Without Affirmance or Reversal	2	0	1	3
Vacated and Remanded	10	0	1	11
Affirmed in Part, Reversed in Part	11	0	2	13
Dismissed Prior to Argument or Submission	3	0	0	3
Transferred to Court of Special Appeals	1	0	0	1
Rescinded	0	0	0	0
Origin				
1982 Docket	4	0	7	11
1983 Docket	38	0	23	61
1984 Docket	50	1	33	84
1985 Docket	3	0	2	5
Total Cases Disposed During Fiscal 1985	95	1	65	161

NOTE: Origin totals in annual reports prior to fiscal 1983 combined cases disposed during the fiscal year and cases pending from completed docket years. (See Note to Table CA-10.)

TABLE CA-8
AVERAGE TIME INTERVALS FOR
CASES DISPOSED BY
COURT OF APPEALS

Regular Docket

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Certiorari Granted to Argument or to Disposition Without Argument^a	Argument to Decision^b	Certiorari Granted to Decision^a
Days	114	196	299
Months	3.8	6.5	10.0
Number of Cases	161	154	161

^a Includes all cases disposed in fiscal 1985.

^b Includes all cases disposed in fiscal 1985 which were argued.

TABLE CA-9

FIVE-YEAR COMPARATIVE TABLE
AVERAGE TIME INTERVALS
FOR FILING OF APPEALS ON THE REGULAR DOCKET
COURT OF APPEALS

(In Days and Months)

Docket	Original Filing to Disposition in Circuit Court	Disposition in Circuit Court to Docketing in Court of Appeals
1980	432 14.4	331 11.0
1981	385 12.8	175 5.8
1982	308 10.3	125 4.2
1983	354 11.8	125 4.2
1984	349 11.6	102 3.4

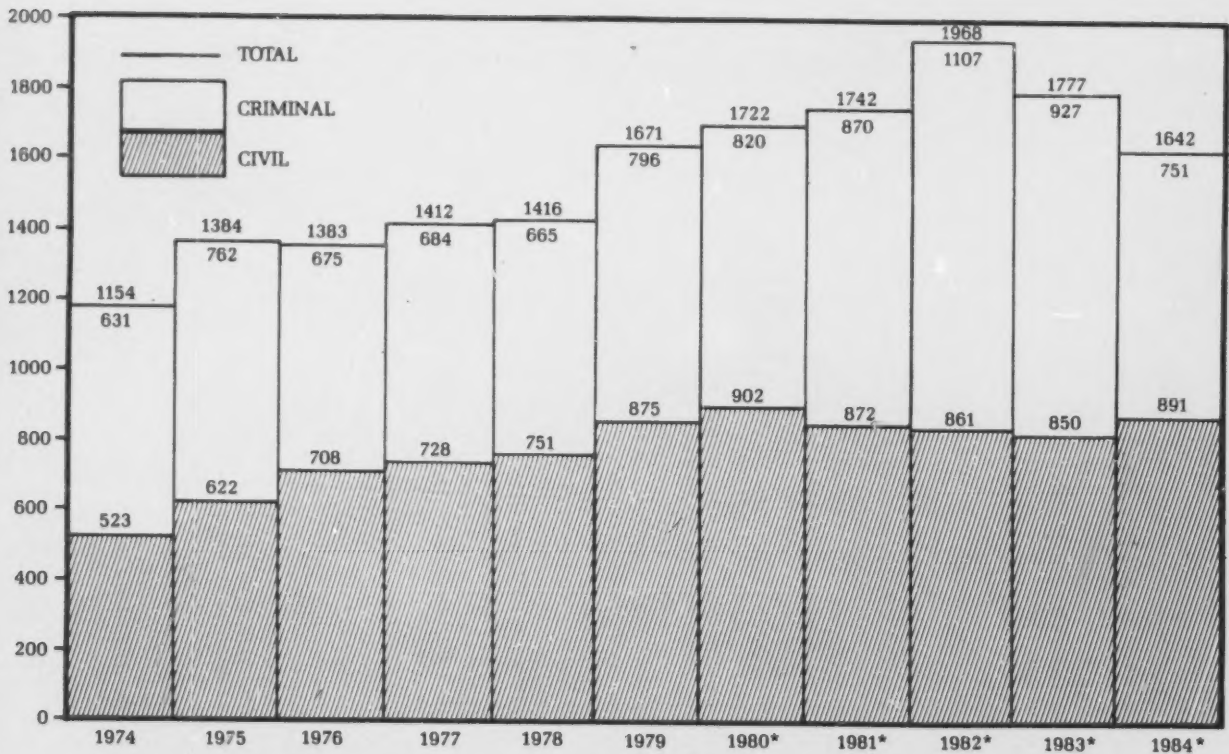
TABLE CA-10
CASES PENDING
COURT OF APPEALS REGULAR DOCKET
JUNE 30, 1985

	Civil	Juvenile	Criminal	Total
Origin				
1984 Docket	25	1	23	49
1985 Docket	37	1	21	59
Total	62	2	44	108

NOTE: Origin totals in annual reports prior to fiscal 1983 combined disposed and pending cases. Pending case totals in those reports included only cases from concluded docket years. (See note to Table CA-7.)

The Court of Special Appeals

TABLE CSA-1
APPEALS DOCKETED BY TERM
COURT OF SPECIAL APPEALS
REGULAR DOCKET

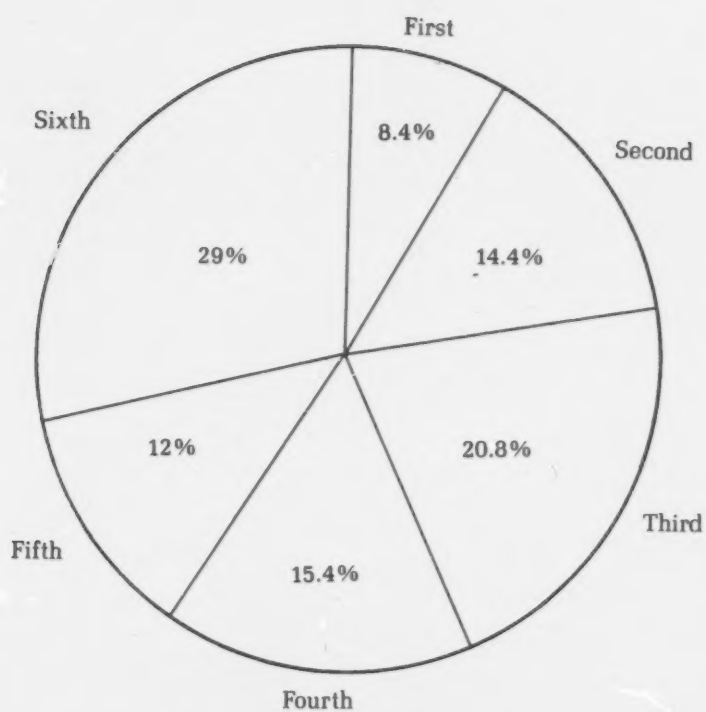


*Does not include civil notices of appeal which were filed in the Clerk's Office pursuant to Maryland Rules 1022-1024. These appeals were either scheduled for prehearing conference or proceeded through the regular appellate process as stipulated in Maryland Rule 1024a.1. Cases finally disposed of by prehearing conference are never placed on the regular docket or listed as filings. Cases not finally disposed of by this process will be placed on subsequent dockets and will then be included among filings.

TABLE CSA-2
**ORIGIN OF APPEALS BY
APPELLATE JUDICIAL CIRCUITS AND COUNTIES
COURT OF SPECIAL APPEALS**
Regular Docket
1984 Term

FIRST APPELLATE CIRCUIT		138
Caroline County	5	
Cecil County	33	
Dorchester County	7	
Kent County	8	
Queen Anne's County	3	
Somerset County	8	
Talbot County	8	
Wicomico County	22	
Worcester County	44	
SECOND APPELLATE CIRCUIT		237
Baltimore County	197	
Harford County	40	
THIRD APPELLATE CIRCUIT		341
Allegany County	13	
Frederick County	30	
Garrett County	6	
Montgomery County	248	
Washington County	44	
FOURTH APPELLATE CIRCUIT		253
Calvert County	15	
Charles County	16	
Prince George's County	207	
St. Mary's County	15	
FIFTH APPELLATE CIRCUIT		197
Anne Arundel County	129	
Carroll County	16	
Howard County	52	
SIXTH APPELLATE CIRCUIT		476
Baltimore City	476	
TOTAL		1,642

TABLE CSA-3
ORIGIN OF APPEALS
BY
APPELLATE JUDICIAL CIRCUITS
COURT OF SPECIAL APPEALS
1984 TERM
REGULAR DOCKET



First Appellate Circuit—138 or 8.4%
Second Appellate Circuit—237 or 14.4%
Third Appellate Circuit—341 or 20.8%
Fourth Appellate Circuit—253 or 15.4%
Fifth Appellate Circuit—197 or 12%
Sixth Appellate Circuit—476 or 29%
Total—State—1,642 or 100%

TABLE CSA-4
RELATIONSHIP BETWEEN COURT OF SPECIAL APPEALS
FILINGS ON 1984 REGULAR DOCKET
AND CIRCUIT COURT TRIALS IN FISCAL 1984

Jurisdiction	Court of Special Appeals 1984 Regular Docket	Circuit Court Fiscal 1984 Trials	Ratio of Appeals to Trials
Kent County	8	33	.24
St. Mary's County	15	65	.23
Washington County	44	202	.22
Baltimore City	476	2,502	.19
Prince George's County	207	1,164	.18
Worcester County	44	268	.16
Montgomery County	248	2,105	.12
Anne Arundel County	129	1,128	.11
Calvert County	15	138	.11
Somerset County	8	82	.10
Wicomico County	22	248	.09
Cecil County	33	352	.09
Allegany County	13	151	.09
Talbot County	8	103	.08
Frederick County	30	452	.07
Howard County	52	827	.06
Harford County	40	640	.06
Baltimore County	197	3,213	.06
Charles County	16	347	.05
Garrett County	6	130	.05
Caroline County	5	129	.04
Dorchester County	7	174	.04
Queen Anne's County	3	162	.02
Carroll County	16	661	.02
TOTAL	1,642	15,276	.11

TABLE CSA-5
AVERAGE TIME INTERVALS FOR
CASES DISPOSED BY
COURT OF SPECIAL APPEALS
Regular Docket
JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Docketing to Argument or to Disposition Without Argument ^a	Argument to Decision ^b
Days	142.4	31.0
Months	4.8	1.0
Number of Cases	1,802	1,406

^a Includes all cases disposed in fiscal 1985. Excludes stayed cases.

^b Includes all cases disposed in fiscal 1985 which were argued.

TABLE CSA-6
FIVE-YEAR COMPARATIVE TABLE
AVERAGE TIME INTERVALS
FOR FILING OF APPEALS ON REGULAR DOCKET
COURT OF SPECIAL APPEALS
(In Days and Months)

Docket	Original Filing to Disposition in Court Below	Disposition in Circuit Court to Docketing in Court of Special Appeals
1980	431 14.4	119 4.0
1981	392 13.1	125 4.2
1982	349 11.6	126 4.2
1983	392 13.1	115 3.8
1984	402 13.4	126 4.2

TABLE CSA-7
CASES DISPOSED BY
COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Civil	Juvenile	Criminal	Total
Affirmed	385	13	634	1,032
Reversed	139	7	67	213
Dismissed—Opinion Filed	33	0	4	37
Dismissed Without Opinion	3	0	0	3
Remanded Without Affirmance or Reversal	7	1	6	14
Affirmed in Part, Reversed in Part	65	1	51	117
Modified and Affirmed	4	0	0	4
Stayed	3	0	2	5
Dismissed Prior to Argument or Submission	209	11	98	318
Transferred to Court of Appeals	57	1	6	64
Origin ^a				
1983 Docket	100	6	141	247
1984 Docket	766	25	702	1,493
1985 Docket	39	3	25	67
Total Cases Disposed During Fiscal 1985	905	34	868	1,807

^a Annual reports prior to fiscal 1983 combined under "origin" cases disposed and cases pending, excluding pending cases filed during the current docket year.

TABLE CSA-8
DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL
AND OTHER MISCELLANEOUS CASES

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Granted	Dismissed or Transferred	Denied	Remanded	Total
Post Conviction	12	21	109	2	144
Inmate Grievance	0	0	1	1	2
Other Miscellaneous*	5	9	31	1	46
TOTALS	17	30	141	4	192

*Includes habeas corpus/bail cases and motions for stay of execution of order pending appeal.

NOTE: Counts one outcome per case. Does not include reconsiderations of cases disposed in prior fiscal years or return of remanded cases.

TABLE CSA-9
PENDING CASES
COURT OF SPECIAL APPEALS

Regular Docket

JUNE 30, 1985

	Civil	Juvenile	Criminal	Total
Origin				
1984 Docket	40	0	33	73
1985 Docket	203	9	246	458
Total Cases Pending at Close of Fiscal 1985	243	9	279	531

NOTE: Annual reports prior to fiscal 1983 excluded pending cases from current docket year.

The Circuit Courts

TABLE CC-1.1
CIVIL, CRIMINAL, AND JUVENILE
FILED, TERMINATED, AND PENDING
IN THE FIRST JUDICIAL CIRCUIT OF MARYLAND
JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIRST CIRCUIT	2,730	6,366	6,069	297	5,899	5,629	270	3,197
Civil	2,160	4,244	4,140	104	3,917	3,850	67	2,487
Criminal	524	1,594	1,401	193	1,512	1,309	203	606
Juvenile	46	528	528	—	470	470	—	104
DORCHESTER COUNTY	721	1,480	1,423	57	1,408	1,356	52	793
Civil	600	1,071	1,045	26	1,014	994	20	657
Criminal	119	260	229	31	253	221	32	126
Juvenile	2	149	149	—	141	141	—	10
SOMERSET COUNTY	301	759	741	18	688	672	16	372
Civil	243	562	556	6	499	494	5	306
Criminal	53	155	143	12	150	139	11	58
Juvenile	5	42	42	—	39	39	—	8
WICOMICO COUNTY	803	2,245	2,137	108	2,171	2,075	96	877
Civil	627	1,425	1,392	33	1,363	1,338	25	689
Criminal	165	632	557	75	637	566	71	160
Juvenile	11	188	188	—	171	171	—	28
WORCESTER COUNTY	905	1,882	1,768	114	1,632	1,526	106	1,155
Civil	690	1,186	1,147	39	1,041	1,024	17	835
Criminal	187	547	472	75	472	383	89	262
Juvenile	28	149	149	—	119	119	—	58

NOTE: The beginning inventory figures have been adjusted to reflect additions and deletions of cases resulting from routine maintenance and the removal of old cases that were actually terminated in a prior fiscal year. This adjustment is reflected in Table CC-1.1 through Table CC-1.9.

TABLE CC-1.2
CIVIL, CRIMINAL, AND JUVENILE
FILED, TERMINATED, AND PENDING
IN THE SECOND JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SECOND CIRCUIT	2,257	5,625	5,380	245	5,368	5,146	222	2,514
Civil	1,598	3,978	3,874	104	3,771	3,692	79	1,805
Criminal	570	956	815	141	925	782	143	601
Juvenile	89	691	691	—	672	672	—	108
CAROLINE COUNTY	274	897	878	19	747	724	23	424
Civil	215	673	669	4	555	550	5	333
Criminal	52	142	127	15	116	98	18	78
Juvenile	7	82	82	—	76	76	—	13
CECIL COUNTY	1,082	2,484	2,356	128	2,435	2,326	109	1,131
Civil	653	1,701	1,655	46	1,612	1,569	43	742
Criminal	369	429	347	82	461	395	66	337
Juvenile	60	354	354	—	362	362	—	52
KENT COUNTY	205	372	353	19	402	376	26	175
Civil	163	270	257	13	297	282	15	136
Criminal	34	54	48	6	57	46	11	31
Juvenile	8	48	48	—	48	48	—	8
QUEEN ANNE'S COUNTY	368	939	898	41	977	945	32	330
Civil	277	671	649	22	704	698	6	244
Criminal	84	165	146	19	170	144	26	79
Juvenile	7	103	103	—	103	103	—	7
TALBOT COUNTY	328	933	895	38	807	775	32	454
Civil	290	663	644	19	603	593	10	350
Criminal	31	166	147	19	121	99	22	76
Juvenile	7	104	104	—	83	83	—	28

See note on Table CC-1.1.

TABLE CC-1.3
CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE THIRD JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—THIRD CIRCUIT	19,027	25,144	23,643	1,501	21,298	20,110	1,188	22,873
Civil	12,691	14,168	13,482	686	11,591	11,139	452	15,268
Criminal	5,098	7,136	6,321	815	6,033	5,297	736	6,201
Juvenile	1,238	3,840	3,840	—	3,674	3,674	—	1,404
BALTIMORE COUNTY	13,743	20,176	18,895	1,281	17,515	16,489	1,026	16,404
Civil	9,164	11,200	10,634	566	9,472	9,081	391	10,892
Criminal	4,191	5,799	5,084	715	4,967	4,332	635	5,023
Juvenile	388	3,177	3,177	—	3,076	3,076	—	489
HARFORD COUNTY	5,284	4,968	4,748	220	3,783	3,621	162	6,469
Civil	3,527	2,968	2,848	120	2,119	2,058	61	4,376
Criminal	907	1,337	1,237	100	1,066	965	101	1,178
Juvenile	850	663	663	—	598	598	—	915

See note on Table CC-1.1.

TABLE CC-1.4
CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE FOURTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	<u>PENDING</u>	<u>FILED</u>			<u>TERMINATED</u>			<u>PENDING</u>
	<u>Beginning of Year</u>	<u>Cases and Appeals</u>	<u>Cases</u>	<u>Appeals</u>	<u>Cases and Appeals</u>	<u>Cases</u>	<u>Appeals</u>	<u>End of Year</u>
TOTAL—FOURTH CIRCUIT	3,114	5,947	5,613	334	5,578	5,228	350	3,483
Civil	2,661	4,016	3,840	176	3,735	3,541	194	2,942
Criminal	354	844	686	158	770	614	156	428
Juvenile	99	1,087	1,087	—	1,073	1,073	—	113
ALLEGANY COUNTY	1,212	1,702	1,549	153	1,564	1,373	191	1,350
Civil	1,068	1,048	979	69	919	817	102	1,197
Criminal	102	248	164	84	232	143	89	118
Juvenile	42	406	406	—	413	413	—	35
GARRETT COUNTY	279	718	684	34	698	681	17	299
Civil	247	510	489	21	518	507	11	239
Criminal	27	113	100	13	85	79	6	55
Juvenile	5	95	95	—	95	95	—	5
WASHINGTON COUNTY	1,623	3,527	3,380	147	3,316	3,174	142	1,834
Civil	1,346	2,458	2,372	86	2,298	2,217	81	1,506
Criminal	225	483	422	61	453	392	61	255
Juvenile	52	586	586	—	565	565	—	73

See note on Table CC-1.1.

TABLE CC-1.5
CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE FIFTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—FIFTH CIRCUIT	15,836	26,037	24,918	1,119	23,322	22,510	812	18,551
Civil	11,694	16,743	16,097	646	14,166	13,879	287	14,271
Criminal	3,267	5,135	4,662	473	4,870	4,345	525	3,532
Juvenile	875	4,159	4,159	—	4,286	4,286	—	748
ANNE ARUNDEL COUNTY	10,432	18,250	17,641	609	15,837	15,492	345	12,845
Civil	7,922	12,645	12,213	432	10,369	10,231	138	10,198
Criminal	1,870	2,562	2,385	177	2,313	2,106	207	2,119
Juvenile	640	3,043	3,043	—	3,155	3,155	—	528
CARROLL COUNTY	2,244	3,543	3,354	189	3,356	3,162	194	2,431
Civil	1,306	1,784	1,724	60	1,549	1,509	40	1,541
Criminal	824	1,134	1,005	129	1,218	1,064	154	740
Juvenile	114	625	625	—	589	589	—	150
HOWARD COUNTY	3,160	4,244	3,923	321	4,129	3,856	273	3,275
Civil	2,466	2,314	2,160	154	2,248	2,139	109	2,532
Criminal	573	1,439	1,272	167	1,339	1,175	164	673
Juvenile	121	491	491	—	542	542	—	70

See note on Table CC-1.1.

TABLE CC-1.6
CIVIL, CRIMINAL, AND JUVENILE FILED, TERMINATED,
AND PENDING IN THE SIXTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1984-JUNE 30, 1985
 FISCAL 1985

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—SIXTH CIRCUIT	21,043	23,472	22,410	1,062	21,871	20,992	879	22,644
Civil	16,303	13,838	13,382	456	13,474	13,183	291	16,667
Criminal	3,714	5,465	4,859	606	4,443	3,855	588	4,736
Juvenile	1,026	4,169	4,169	—	3,954	3,954	—	1,241
FREDERICK COUNTY	1,273	2,718	2,587	131	2,699	2,571	128	1,292
Civil	1,049	1,883	1,830	53	1,901	1,853	48	1,031
Criminal	182	487	409	78	472	392	80	197
Juvenile	42	348	348	—	326	326	—	64
MONTGOMERY COUNTY	19,770	20,754	19,823	931	19,172	18,421	751	21,352
Civil	15,254	11,955	11,552	403	11,573	11,330	243	15,636
Criminal	3,532	4,978	4,450	528	3,971	3,463	508	4,539
Juvenile*	984	3,821	3,821	—	3,628	3,628	—	1,177

*Juvenile causes processed at the District Court level.

See note on Table CC-1.1.

TABLE CC-1.7
CIVIL, CRIMINAL, AND JUVENILE
FILED, TERMINATED, AND PENDING
IN THE SEVENTH JUDICIAL CIRCUIT OF MARYLAND

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	PENDING		FILED		TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL-SEVENTH CIRCUIT	21,477	36,066	35,188	878	30,834	30,044	790	26,709
Civil	17,325	21,695	21,185	510	17,076	16,691	385	21,944
Criminal	2,823	7,987	7,619	368	7,208	6,803	405	3,602
Juvenile	1,329	6,384	6,384	—	6,550	6,550	—	1,163
CALVERT COUNTY	718	1,467	1,402	65	1,335	1,281	54	850
Civil	585	798	748	50	746	706	40	637
Criminal	65	342	327	15	281	267	14	126
Juvenile	68	327	327	—	308	308	—	87
CHARLES COUNTY	1,483	3,195	3,114	81	3,040	2,977	63	1,638
Civil	984	1,860	1,820	40	1,705	1,671	34	1,139
Criminal	338	613	572	41	571	542	29	380
Juvenile	161	722	722	—	764	764	—	119
PRINCE GEORGE'S COUNTY	18,626	29,916	29,227	689	25,100	24,463	637	23,442
Civil	15,251	18,046	17,651	395	13,729	13,433	296	19,568
Criminal	2,307	6,707	6,413	294	6,038	5,697	341	2,976
Juvenile	1,068	5,163	5,163	—	5,333	5,333	—	898
ST. MARY'S COUNTY	650	1,488	1,445	43	1,359	1,323	36	779
Civil	505	991	966	25	896	881	15	600
Criminal	113	325	307	18	318	297	21	120
Juvenile	32	172	172	—	145	145	—	59

See note on Table CC-1.1.

TABLE CC-1.8
CIVIL, CRIMINAL, AND JUVENILE
FILED, TERMINATED, AND PENDING
IN THE EIGHTH JUDICIAL CIRCUIT OF MARYLAND
JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—EIGHTH CIRCUIT								
BALTIMORE CITY	68,782	47,128	45,705	1,423	41,227	39,544	1,683	74,683
Total—Civil Courts	49,838	23,348	22,943	405	18,076	17,471	605	55,110
Total—Criminal Courts	8,041	13,430	12,412	1,018	13,772	12,694	1,078	7,699
Total—Juvenile Court	10,903	10,350	10,350	—	9,379	9,379	—	11,874

See note on Table CC-1.1.

TABLE CC-1.9
CIVIL, CRIMINAL, AND JUVENILE
FILED, TERMINATED, AND PENDING
IN THE STATE OF MARYLAND
JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	PENDING	FILED			TERMINATED			PENDING
	Beginning of Year	Cases and Appeals	Cases	Appeals	Cases and Appeals	Cases	Appeals	End of Year
TOTAL—								
STATE OF MARYLAND	154,266	175,785	168,926	6,859	155,397	149,203	6,194	174,654
Civil	114,270	102,030	98,943	3,087	85,806	83,446	2,360	130,494
Criminal	24,391	42,547	38,775	3,772	39,533	35,699	3,834	27,405
Juvenile*	15,605	31,208	31,208	—	30,058	30,058	—	16,755

*Includes juvenile causes processed by the District Court for Montgomery County.

See note on Table CC-1.1.

TABLE CC-2
PERCENTAGES OF ORIGINAL CASES FILED AND REOPENED CASES FILED

July 1, 1984-June 30, 1985
 FISCAL 1985

	CIVIL		CRIMINAL		JUVENILE		TOTAL	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIRST CIRCUIT	4,244	66.7	1,594	25.0	528	8.3	6,366	100.0
Dorchester	1,071	72.4	260	17.6	149	10.0	1,480	100.0
Somerset	562	74.0	155	20.4	42	5.6	759	100.0
Wicomico	1,425	63.5	632	28.2	188	8.3	2,245	100.0
Worcester	1,186	63.0	547	29.1	149	7.9	1,882	100.0
SECOND CIRCUIT	3,978	70.7	956	17.0	691	12.3	5,625	100.0
Caroline	673	75.0	142	15.8	82	9.2	897	100.0
Cecil	1,701	68.5	429	17.3	354	14.2	2,484	100.0
Kent	270	72.6	54	14.5	48	12.9	372	100.0
Queen Anne's	671	71.5	165	17.6	103	10.9	939	100.0
Talbot	663	71.1	166	17.8	104	11.1	933	100.0
THIRD CIRCUIT	14,168	56.3	7,136	28.4	3,840	15.3	25,144	100.0
Baltimore	11,200	55.5	5,799	28.7	3,177	15.8	20,176	100.0
Harford	2,968	59.7	1,337	26.9	663	13.4	4,968	100.0
FOURTH CIRCUIT	4,016	67.5	844	14.2	1,087	18.3	5,947	100.0
Allegany	1,048	61.6	248	14.6	406	23.8	1,702	100.0
Garrett	510	71.0	113	15.7	95	13.3	718	100.0
Washington	2,458	69.7	483	13.7	586	16.6	3,527	100.0
FIFTH CIRCUIT	16,743	64.3	5,135	19.7	4,159	16.0	26,037	100.0
Anne Arundel	12,645	69.3	2,562	14.0	3,043	16.7	18,250	100.0
Carroll	1,784	50.4	1,134	32.0	625	17.6	3,543	100.0
Howard	2,314	54.5	1,439	33.9	491	11.6	4,244	100.0
SIXTH CIRCUIT	13,838	59.0	5,465	23.3	4,169	17.7	23,472	100.0
Frederick	1,883	69.3	487	17.9	348	12.8	2,718	100.0
Montgomery*	11,955	57.6	4,978	24.0	3,821	18.4	20,754	100.0
SEVENTH CIRCUIT	21,695	60.2	7,987	22.1	6,384	17.7	36,066	100.0
Calvert	798	54.4	342	23.3	327	22.3	1,467	100.0
Charles	1,860	58.2	613	19.2	722	22.6	3,195	100.0
Prince George's	18,046	60.3	6,707	22.4	5,163	17.3	29,916	100.0
St. Mary's	991	66.6	325	21.8	172	11.6	1,488	100.0
EIGHTH CIRCUIT	23,348	49.5	13,430	28.5	10,350	22.0	47,128	100.0
Baltimore City	23,348	49.5	13,430	28.5	10,350	22.0	47,128	100.0
STATE	102,030	58.0	42,547	24.2	31,208	17.8	175,785	100.0

*Juvenile causes heard at District Court level.

TABLE CC-3
CATEGORIES OF FILINGS
ORIGINAL CASES FILED AND REOPENED CASES FILED
JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Dorchester	Somerset	Wiltshire	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Fredrick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
CIVIL—TOTALS	1,071	562	1,425	1,186	673	1,701	270	671	663	11,200	2,968	1,048	510	2,458	12,645	1,784	2,314	1,883	11,955	798	1,860	18,046	991	23,348	102,030
TORT:																									
Motor Tort	14	7	50	23	12	43	3	19	19	1,194	165	57	13	84	466	62	166	63	690	15	88	1,373	31	2,507	7,174
Other Tort	5	0	20	23	5	7	8	5	30	647	35	19	19	21	147	26	68	23	397	21	32	614	23	742	2,946
CONTRACT	10	8	44	87	2	9	13	23	27	1,026	95	42	30	64	469	71	210	103	1,257	34	85	932	32	572	5,247
CONDEMNATION	1	1	3	0	0	2	0	0	0	66	16	6	2	6	8	3	2	7	6	10	4	27	0	47	225
CONTESTED																									
CONFESSED																									
JUDGMENT	2	5	8	2	0	4	3	1	10	14	7	4	3	18	2	2	0	7	2	0	8	5	2	287	396
OTHER LAW	20	4	26	44	1	119	2	0	55	325	128	37	0	24	481	35	0	15	119	22	3	45	7	2,195	3,713
APPEALS:																									
District Court-On Record	1	0	7	0	0	7	5	1	1	74	16	3	0	15	26	5	39	8	51	8	4	25	2	1	310
District Court-De Novo	3	0	0	5	0	8	0	3	5	90	12	1	3	6	179	13	24	16	64	16	6	34	7	190	685
Administrative Agencies	22	6	26	26	4	31	8	18	13	402	92	65	18	63	225	41	91	29	288	26	30	336	16	214	2,092
UNREPORTED LAW	1	2	3	1	0	7	0	1	0	43	12	2	1	6	6	5	3	3	27	0	1	41	0	2,055	2,220
DIVORCENULLITY	206	93	452	207	152	488	80	158	172	3,600	858	451	143	763	3,554	577	741	688	3,180	230	556	5,480	293	4,819	27,941
OTHER DOMESTIC RELATIONS	52	122	179	133	167	498	64	110	101	895	538	37	150	581	1,270	460	308	361	2,042	113	282	3,440	202	294	12,419
ADOPTIONGUARDIANSHIP	31	1	32	25	15	30	7	14	21	328	97	27	16	81	226	46	126	67	416	39	57	312	34	396	2,446
PATERNITY	584	238	416	312	161	243	27	186	169	789	335	84	32	268	2,860	38	56	195	883	77	439	2,661	189	6,275	17,617
OTHER GENERAL	113	59	147	271	142	181	44	125	35	1,403	502	183	67	409	2,374	350	453	231	2,318	180	240	2,448	137	2,749	15,161
UNREPORTED CATEGORY	6	5	15	19	10	20	4	4	5	304	60	30	7	47	248	29	27	47	225	7	25	273	16	5	1,436
JUVENILE-TOTALS	149	42	188	149	82	354	48	103	104	3,177	663	406	95	586	3,043	625	491	348	3,821	327	722	5,163	172	10,350	31,208
DELINQUENCY	91	33	138	102	59	226	32	51	71	2,431	509	132	66	402	2,257	484	411	253	2,552	229	635	3,813	146	7,108	22,251
ADULT IN NEED OF SUPERVISION	0	0	1	0	0	2	0	10	0	0	0	0	127	2	0	1	0	1	5	2	2	9	0	20	198
CHILD IN NEED OF ASSISTANCE	0	0	1	2	4	6	1	0	1	34	1	29	6	46	12	4	7	13	22	1	0	4	2	142	347
UNREPORTED CATEGORY	47	9	29	23	12	88	15	25	16	409	111	72	12	114	582	74	39	47	1,016	87	64	1,044	10	1,746	5,773
CRIMINAL-TOTALS	260	155	632	547	342	429	54	165	166	5,799	1,337	248	113	483	2,562	1,134	1,439	487	4,978	342	813	6,707	325	13,430	42,547
INDICTMENT INFORMATION	113	54	213	200	90	232	34	83	101	1,894	561	85	75	276	1,596	325	775	251	1,709	238	479	2,282	138	5,026	16,836
APPEALS FROM DISTRICT COURT:																									
Motor Vehicle	15	4	53	47	9	37	1	11	11	453	80	42	6	30	82	82	124	50	373	11	15	152	7	448	2,143
Other	16	6	22	26	6	45	5	8	6	262	20	42	7	31	95	47	43	28	155	4	26	142	11	570	1,629
JURY TRIAL PRAYED-MOTOR	36	32	117	90	9	56	3	27	17	593	377	35	6	45	290	332	254	104	1,561	27	20	1,794	73	899	6,707
JURY TRIAL PRAYED-OTHER	75	57	227	182	22	50	9	31	28	1,652	282	44	15	85	430	335	237	53	1,070	54	56	2,249	91	6,403	13,739
POST-REPORT	0	0	0	0	0	0	0	0	0	943	1	0	2	0	58	0	0	0	0	0	0	1	0	1,003	
FUGITIVE	4	0	0	0	1	3	0	0	0	0	3	0	2	15	11	0	6	0	39	6	14	74	3	172	355
UNREPORTED CATEGORY	1	0	0	0	5	6	2	5	1	2	11	0	0	1	0	13	0	1	71	2	3	13	2	0	139

TABLE CC-5

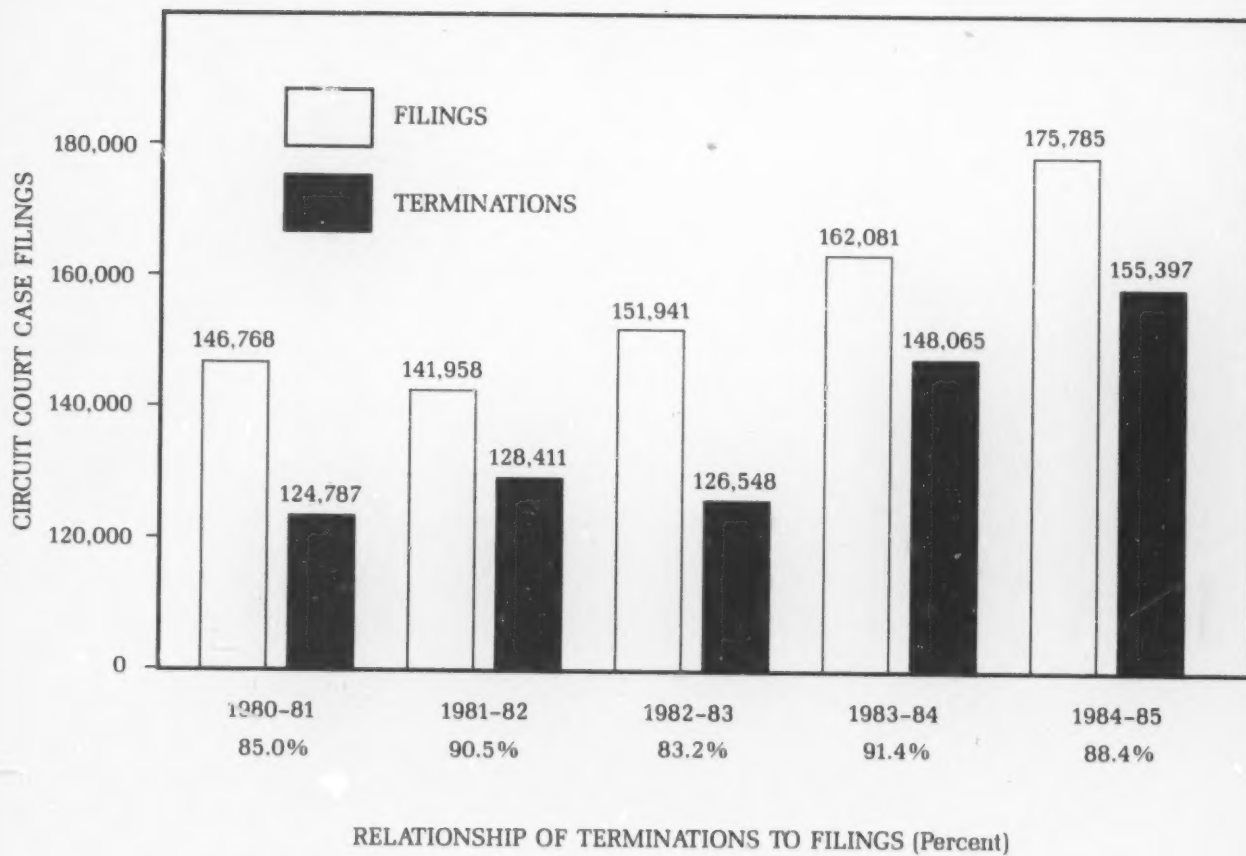
TERMINATIONS AS A PERCENTAGE OF FILINGS
IN THE CIRCUIT COURTS

TABLE CC-6
FIVE-YEAR COMPARATIVE TABLE
ALL CASES
FILINGS AND TERMINATIONS
FISCAL 1981—FISCAL 1985

	COMBINED ORIGINAL CASES FILED AND TERMINATED AND REOPENED CASES HEARD				COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED					
	1980-81**		1981-82***		1982-83		1983-84		1984-85	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	6,005	5,026	5,506	6,386	6,198	5,803	6,398	6,201	6,366	5,899
Dorchester	1,156	995	1,135	1,141	1,156	988	1,305	1,204	1,480	1,408
Somerset	550	493	635	662	675	488	800	799	759	688
Wicomico	2,307	2,095	2,348	2,603	2,669	2,661	2,583	2,573	2,245	2,171
Worcester	1,992	1,443	1,388	1,980	1,698	1,666	1,710	1,625	1,882	1,632
SECOND CIRCUIT	4,436	3,738	4,957	5,159	5,602	5,534	5,369	5,081	5,625	5,368
Caroline	750	661	678	603	750	713	687	683	897	747
Cecil	1,975	1,811	2,219	2,270	2,311	2,367	2,356	2,133	2,484	2,435
Kent	414	385	378	459	430	402	388	365	372	402
Queen Anne's	735	598	886	1,024	1,054	1,049	991	937	939	977
Talbot	562	283	796	803	1,057	1,003	947	963	933	807
THIRD CIRCUIT	19,642	17,489	20,303	20,445	22,281	21,032	22,931	21,102	25,144	21,298
Baltimore	15,857	14,177	16,348	16,858	18,341	18,038	18,352	17,526	20,176	17,515
Harford	3,785	3,312	3,955	3,587	3,940	2,994	4,579	2,576	4,968	3,783
FOURTH CIRCUIT	4,980	4,359	4,807	5,824	5,130	4,932	5,378	4,970	5,947	5,578
Allegany	1,650	1,293	1,589	2,151	1,577	1,658	1,544	1,232	1,702	1,564
Garrett	706	656	645	661	724	757	701	761	718	698
Washington	2,624	2,410	2,573	3,012	2,829	2,517	3,133	2,977	3,527	3,316
FIFTH CIRCUIT	16,690	14,409	17,461	15,788	19,906	16,318	23,727	21,959	26,037	23,322
Anne Arundel	10,730	9,193	11,592	10,304	13,198	10,135	16,501	15,265	18,250	15,837
Carroll	2,451	2,363	2,377	2,335	3,190	2,923	3,434	3,091	3,543	3,356
Howard	3,509	2,853	3,492	3,149	3,518	3,254	3,792	3,603	4,244	4,129
SIXTH CIRCUIT	15,533	11,031	16,858	13,714	20,782	17,495	22,596	20,320	23,472	21,871
Frederick	2,311	2,130	2,501	2,926	2,357	2,537	2,574	2,371	2,718	2,699
Montgomery*	13,222	8,901	14,357	10,788	18,425	14,958	20,022	17,949	20,754	19,172
SEVENTH CIRCUIT	26,469	22,316	30,567	27,488	32,485	28,523	35,561	36,099	36,066	30,834
Calvert	1,640	1,542	1,294	1,527	1,156	1,130	1,317	1,134	1,467	1,335
Charles	2,724	2,519	2,694	2,859	3,126	2,919	3,010	2,768	3,195	3,040
Prince George's	20,415	16,879	25,100	21,127	26,551	22,838	29,653	30,727	29,916	25,100
St. Mary's	1,690	1,376	1,479	1,975	1,652	1,636	1,581	1,470	1,488	1,359
EIGHTH CIRCUIT	53,013	46,419	41,499	33,607	39,557	26,911	40,121	32,333	47,128	41,227
Baltimore City	53,013	46,419	41,499	33,607	39,557	26,911	40,121	32,333	47,128	41,227
STATE	146,768	124,787	141,958	128,411	151,941	126,548	162,081	148,065	175,785	155,397

*Includes juvenile causes heard at District Court level.

**One criminal case represented one charge (count) rather than one incident in Baltimore City. An audit conducted in 1980 found that by using charge statistics Baltimore City reported 2.19 times the number of criminal filings and 2.01 times the number of criminal terminations as would have been reported under a system comparable to other counties.

***Baltimore City changed its counting procedures from individual charges to cases in July 1981. Cases are defined as charges arising out of a single incident. Thus, one case represents one incident.

NOTE: Included in the termination figures for 1980-81 are criminal cases which are actually closed but remain on the open case file because of CJIS considerations.

TABLE CC-7
COURT TRIALS, JURY TRIALS AND HEARINGS BY
COUNTY, CIRCUIT AND FUNCTIONAL AREA
JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	1ST CIRCUIT			2ND CIRCUIT			3RD CIRCUIT			4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT			7TH CIRCUIT			8TH CIRCUIT	TOTAL (STATE)	
	Dorchester	Somerset	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
CASES TRIED BY COUNTY & CIRCUIT																								
Civil																								
Court Trials	24	21	94	72	96	367	12	36	5	349	361	78	85	38	227	112	191	242	422	116	313	787	74	1,290
Jury Trials	12	3	18	20	8	14	4	6	3	88	29	20	5	36	77	13	28	21	174	11	25	131	9	345
Criminal																								
Court Trials	115	44	134	175	8	33	0	98	51	148	57	36	5	23	367	91	608	181	71	17	6	44	6	849
Jury Trials	38	16	39	45	20	54	1	1	9	27	46	39	6	76	101	21	39	51	214	13	35	117	15	277
COUNTY TOTALS																								
Court Trials	139	65	228	247	104	400	12	134	56	497	418	114	90	61	594	203	799	423	493	133	319	831	80	2,139
Jury Trials	50	19	57	65	28	68	5	7	12	115	75	59	11	112	178	34	67	72	388	24	60	248	24	622
TOTAL	189	84	285	312	132	468	17	141	68	612	493	173	101	173	772	237	866	495	881	157	379	1,079	104	2,761
CIRCUIT TOTALS																								
Court Trials	679	679				706			915			265			1,596		916						8,579	
Jury Trials	191	191				120			190			182			279		460						2,139	
TOTAL	870	870				826			1,105			447			1,875		1,376						2,761	
CIVIL, CRIMINAL, AND JUVENILE HEARINGS																								
Civil Hearings	616	291	398	538	11	301	54	356	242	2,958	1,000	197	122	356	4,574	707	1,325	150	8,451	181	841	11,702	210	1,224
Criminal Hearings	200	97	700	454	233	801	75	210	131	5,443	1,945	259	128	618	4,219	2,024	1,389	536	10,469	498	949	10,304	505	14,599
Juvenile Hearings	116	29	266	193	127	610	71	185	132	4,319	598	413	128	681	4,664	882	831	614	5,490	699	1,604	9,529	402	19,626
COUNTY TOTALS	932	427	1,364	1,185	371	1,712	200	751	505	12,720	3,543	869	378	1,655	13,477	3,613	3,545	1,302	24,410	1,378	3,394	31,535	1,117	35,449
CIRCUIT TOTALS																								
										3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT		6TH CIRCUIT			7TH CIRCUIT		8TH CIRCUIT		
										16,263		2,902			20,635		25,712			37,424		35,449		

NOTE: Information on criminal court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-9
AVERAGE DAYS FROM FILING TO DISPOSITION

	Civil			Criminal			Juvenile		
	1982-83	1983-84	1984-85	1982-83	1983-84	1984-85	1982-83	1983-84	1984-85
FIRST CIRCUIT									
Dorchester	105	145	147	132	147	132	33	37	37
Somerset	70	107	107	99	90	111	49	12	26
Wicomico	154	139	148	83	88	86	29	30	32
Worcester	183	176	175	128	129	117	52	51	47
SECOND CIRCUIT									
Caroline	162	180	143	142	128	125	45	47	59
Cecil	168	143	153	173	143	157	42	42	48
Kent	163	130	129	121	161	159	25	29	65
Queen Anne's	148	147	88	149	131	123	27	37	40
Talbot	112	124	155	118	114	143	48	42	52
THIRD CIRCUIT									
Baltimore	237	223	216	102	104	99	62	61	43
Harford	187	174	182	166	157	173	67	53	48
FOURTH CIRCUIT									
Allegany	237	164	261	98	110	126	27	27	29
Garrett	191	183	192	172	131	125	36	31	32
Washington	188	153	179	153	132	130	37	40	36
FIFTH CIRCUIT									
Anne Arundel	202	202	173	137	138	144	87	85	82
Carroll	163	161	147	161	160	167	69	68	68
Howard	233	263	261	107	125	131	75	102	71
SIXTH CIRCUIT									
Frederick	170	152	169	118	107	103	65	65	59
Montgomery	224	217	223	133	134	142	88	77	92
SEVENTH CIRCUIT									
Calvert	180	151	170	123	101	96	73	70	73
Charles	197	183	181	134	83	152	66	62	65
Prince George's	237	249	246	131	120	104	46	49	63
St. Mary's	166	161	178	112	105	135	66	59	81
EIGHTH CIRCUIT									
Baltimore City	174	206	187	131	121	93	58	62	63
STATE	204	208	200	127	121	111	61	61	64

NOTE: A small number of lengthy cases can increase an average, particularly in a jurisdiction with a small caseload. For that reason, civil cases over 721 days old, criminal cases over 360 days old, and juvenile causes over 271 days old have been excluded in the above calculations. Approximately 90 to 95 percent of the cases are disposed of within those time periods.

TABLE CC-10
POPULATION IN RELATION TO CIRCUIT COURT CASELOAD*
JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	POPULATION	POPULATION AND CASELOAD PER CIRCUIT COURT JUDGE				CASES FILED IN THE CIRCUIT COURT PER THOUSAND POPULATION			RATIO OF JURY TRIALS TO POPULATION	
		No. of Judges	Population Per Judge	Cases Filed Per Judge		Cases Terminated Per Judge		Total	No. of Jury Trials	Per 1000 Population
				Civil	Criminal	Civil	Criminal			
FIRST CIRCUIT										
Dorchester	31,200	1	31,200	1,071	260	1,014	253	34 8 42	50	1.60
Somerset	19,400	1	19,400	562	155	499	150	29 8 37	19	0.98
Wicomico	70,000	2	35,000	712	316	681	318	20 9 29	57	0.81
Worcester	34,500	2	17,250	593	273	520	236	34 16 50	65	1.88
SECOND CIRCUIT										
Caroline	25,000	1	25,000	673	142	555	116	27 6 33	28	1.12
Cecil	64,000	2	32,000	850	214	806	230	27 7 34	68	1.06
Kent	17,000	1	17,000	270	54	297	57	16 3 19	5	0.29
Queen Anne's	29,600	1	29,600	671	165	704	170	23 6 29	7	0.24
Talbot	26,500	1	26,500	663	166	603	121	25 6 31	12	0.45
THIRD CIRCUIT										
Baltimore	673,900	13	51,838	861	446	728	382	17 9 26	115	0.17
Harford	161,900	4	40,475	742	334	529	266	18 8 26	75	0.46
FOURTH CIRCUIT										
Allegany	78,900	2	39,450	524	124	459	116	13 3 16	59	0.75
Garrett	29,200	1	29,200	510	113	518	85	17 4 21	11	0.38
Washington	118,100	3	39,366	819	161	766	151	21 4 25	112	0.95
FIFTH CIRCUIT										
Anne Arundel	411,000	9	45,666	1,405	284	1,152	257	31 6 37	178	0.43
Carroll	111,600	2	55,800	892	567	774	609	16 10 26	34	0.30
Howard	150,300	4	37,575	578	359	562	334	15 10 25	67	0.45
SIXTH CIRCUIT										
Frederick	131,700	3	43,900	627	162	633	157	14 4 18	72	0.55
Montgomery	610,500	12	50,875	996	414	964	331	20 8 28	388	0.64
SEVENTH CIRCUIT										
Calvert	42,600	1	42,600	798	342	746	281	19 8 27	24	0.56
Charles	87,200	2	43,600	930	306	852	285	21 7 28	60	0.69
Prince George's	665,600	15	44,373	1,203	447	915	402	27 10 37	248	0.37
St. Mary's	66,800	1	66,800	991	325	896	318	15 5 20	24	0.36
EIGHTH CIRCUIT										
Baltimore City	727,200	23	31,617	1,015	584	786	598	32 18 50	622	0.86
STATE	4,383,700	107	40,969	953	397	802	369	23 10 33	2,400	0.55

*Population estimate for July 1, 1985, issued by the Maryland Center for Health Statistics.

TABLE CC-11
CASES TRIED BY MAJOR JURISDICTION

July 1, 1984-June 30, 1985
FISCAL 1985

	State	Baltimore City	All Counties	Four Largest Counties	Other 19 Counties
CIVIL	6,512	1,635	4,877	2,255	2,622
Court Trial	5,412	1,290	4,122	1,785	2,337
Jury Trial	1,100	345	755	470	285
CRIMINAL	4,467	1,126	3,341	1,089	2,252
Court Trial	3,167	849	2,318	630	1,688
Jury Trial	1,300	277	1,023	459	564

TABLE CC-12
FIVE-YEAR COMPARATIVE TABLE
CASES FILED AND TERMINATED PER JUDGE
FISCAL 1981-FISCAL 1985

	FILED		TERMINATED	
	Civil*	Criminal**	Civil*	Criminal**
1980-81	1,013	475	852	419
1981-82	1,050	297	933	281
1982-83	1,100	325	906	279
1983-84	1,205	353	1,092	331
1984-85	953	397	802	369

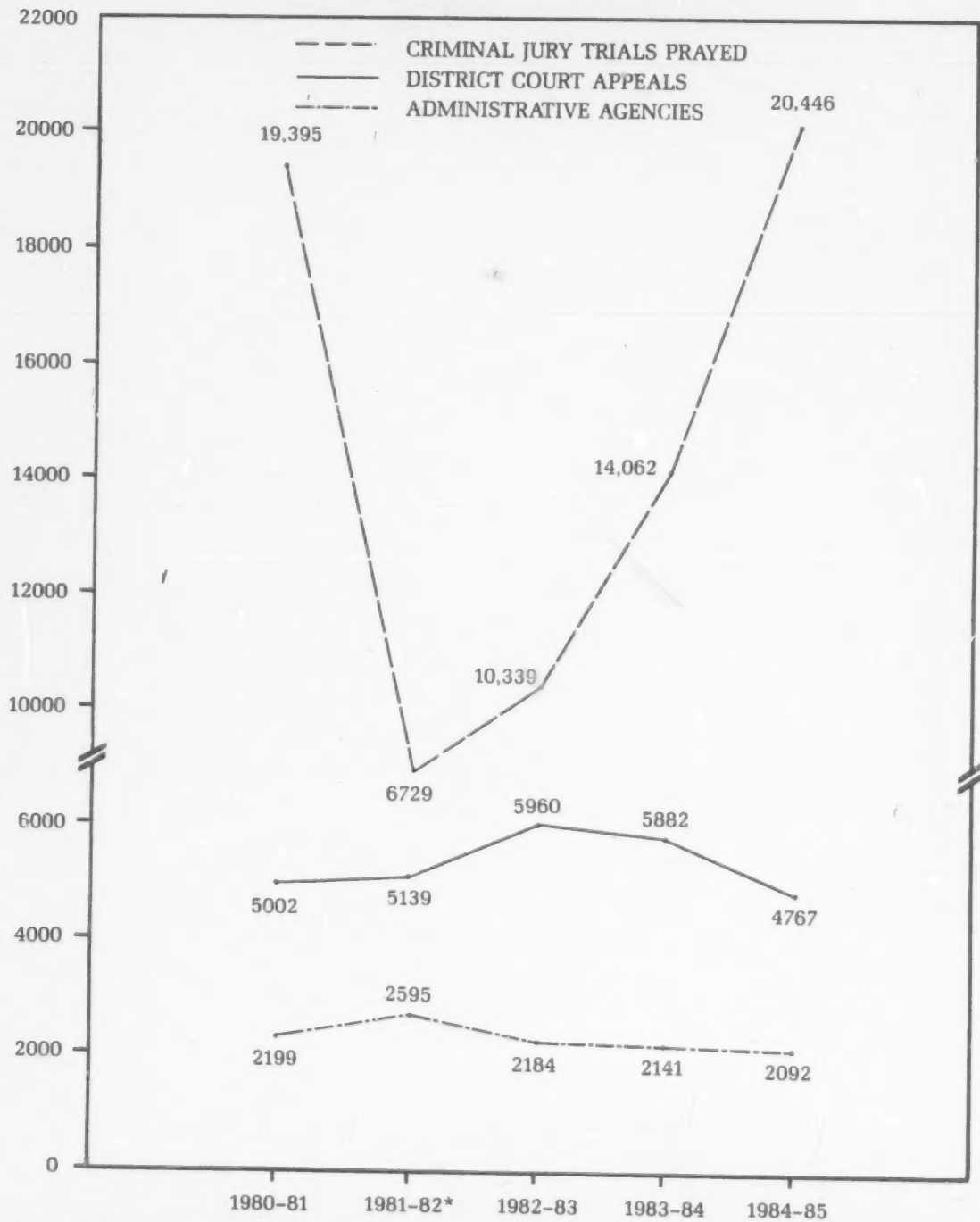
*Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

**Baltimore City changed its counting procedures from individual charges to cases in July 1981. Cases are defined as charges arising out of a single incident. Thus, one case represents one incident.

TABLE CC-13
FIVE-YEAR COMPARATIVE TABLE
APPEALS FROM THE DISTRICT COURT AND ADMINISTRATIVE AGENCIES
FISCAL 1981-FISCAL 1985

	1980-81		1981-82		1982-83		1983-84		1984-85	
	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies
FIRST CIRCUIT	310	91	293	65	309	83	286	64	217	80
Dorchester	23	34	52	17	29	26	41	15	35	22
Somerset	9	4	9	3	23	3	15	2	12	6
Wicomico	100	33	108	25	144	28	112	26	82	26
Worcester	178	20	124	20	113	26	118	21	88	26
SECOND CIRCUIT	120	48	107	71	198	50	141	42	171	74
Caroline	7	8	13	7	28	2	19	0	15	4
Cecil	67	13	52	16	79	17	61	20	97	31
Kent	16	14	7	12	29	10	11	6	11	8
Queen Anne's	16	5	20	14	37	4	24	11	23	18
Talbot	14	8	15	22	25	17	26	5	25	13
THIRD CIRCUIT	926	347	1,061	359	1,209	402	1,074	433	1,007	494
Baltimore	795	279	902	293	1,057	333	907	361	879	402
Harford	131	68	159	66	152	69	167	72	128	92
FOURTH CIRCUIT	166	61	211	106	215	127	213	120	186	148
Allegany	75	1	101	41	77	42	93	39	88	65
Garrett	13	4	26	7	25	14	13	10	16	18
Washington	78	56	84	60	113	71	107	71	82	65
FIFTH CIRCUIT	613	199	826	247	1,022	253	1,045	298	762	357
Anne Arundel	347	124	458	151	553	166	612	183	384	225
Carroll	103	26	139	40	211	38	196	49	148	41
Howard	163	49	229	56	258	49	237	66	230	91
SIXTH CIRCUIT	408	190	529	212	857	277	973	295	745	317
Frederick	46	25	63	31	64	27	104	36	102	29
Montgomery	362	165	466	181	793	250	869	259	643	288
SEVENTH CIRCUIT	584	259	558	270	751	355	873	440	470	408
Calvert	8	21	20	14	56	13	69	29	39	26
Charles	49	29	44	39	76	28	51	40	51	30
Prince George's	489	187	456	196	555	295	684	351	353	336
St. Mary's	38	22	38	21	64	19	69	20	27	16
EIGHTH CIRCUIT	1,875	1,004	1,554	1,263	1,399	637	1,277	449	1,209	214
Baltimore City	1,875	1,004	1,554	1,263	1,399	637	1,277	449	1,209	214
STATE	5,002	2,199	5,139	2,595	5,960	2,184	5,882	2,141	4,767	2,092

TABLE CC-14
FIVE-YEAR COMPARATIVE GRAPH
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES



*There are two reasons for the decrease in the number of criminal jury trials prayed in 1981-82. Baltimore City changed its counting procedures from individual charges to cases in July 1981 so that now cases represent incidents rather than charges. Secondly, a new law (Ch. 608, Acts of 1981) went into effect on July 1, 1981, and its aim is to reduce the number of jury trial prayers to the circuit courts. This law has been popularly referred to as the "Gerstung Law."

TABLE CC-15
FIVE-YEAR COMPARATIVE TABLE
POST CONVICTION CASES FILED
FISCAL 1981-FISCAL 1985

	1980-81	1981-82	1982-83	1983-84	1984-85
FIRST CIRCUIT	0	3	9	15	4
Dorchester	0	2	6	14	4
Somerset	0	0	0	0	0
Wicomico	0	1	3	1	0
Worcester	0	0	0	0	0
SECOND CIRCUIT	2	6	20	15	4
Caroline	0	0	1	8	1
Cecil	0	0	5	2	3
Kent	0	0	0	0	0
Queen Anne's	2	6	9	5	0
Talbot	0	0	5	0	0
THIRD CIRCUIT	0	14	7	13	5
Baltimore	0	1	0	0	0
Harford	0	13	7	13	5
FOURTH CIRCUIT	2	22	18	30	17
Allegany	0	0	0	0	0
Garrett	0	0	3	5	2
Washington	2	22	15	25	15
FIFTH CIRCUIT	10	16	6	24	17
Anne Arundel	10	6	0	0	11
Carroll	0	1	0	0	0
Howard	0	9	6	24	6
SIXTH CIRCUIT	0	13	10	21	39
Frederick	0	0	0	0	0
Montgomery	0	13	10	21	39
SEVENTH CIRCUIT	55	74	95	92	97
Calvert	0	4	3	1	6
Charles	5	3	18	14	14
Prince George's	49	62	69	75	74
St. Mary's	1	5	5	2	3
EIGHTH CIRCUIT	222	6*	90	191	172
Baltimore City	222	6*	90	191	172
STATE	291	154	255	401	355

*Due to a reporting procedure, post conviction cases were not counted in Baltimore City in fiscal 1982.

TABLE CC-16
APPLICATIONS FOR REVIEW OF CRIMINAL SENTENCES
July 1, 1984-June 30, 1985
FISCAL 1985

	Filed During Year	Withdrawn by Applicant	TERMINATED, CONSIDERED AND DISPOSED OF		
			Original Sentence Unchanged	Original Sentence Increased	Original Sentence Decreased
FIRST CIRCUIT					
Dorchester	0	0	0	0	0
Somerset	0	0	0	0	0
Wicomico	2	0	2	0	0
Worcester	4	0	6	0	0
SECOND CIRCUIT					
Caroline	1	0	0	0	0
Cecil	19	1	18	0	0
Kent	1	0	1	0	0
Queen Anne's	1	0	0	0	0
Talbot	1	0	0	0	0
THIRD CIRCUIT					
Baltimore	10	0	11	0	0
Harford	11	0	10	0	0
FOURTH CIRCUIT					
Allegany	0	0	0	0	0
Garrett	1	0	2	0	0
Washington	19	2	16	1	1
FIFTH CIRCUIT					
Anne Arundel	11	3	3	0	2
Carroll	1	1	1	0	0
Howard	5	1	5	0	0
SIXTH CIRCUIT					
Frederick	4	0	6	0	0
Montgomery	20	0	24	0	3
SEVENTH CIRCUIT					
Calvert	0	0	1	0	0
Charles	9	0	10	0	2
Prince George's	19	1	20	0	0
St. Mary's	23	5	12	0	4
EIGHTH CIRCUIT					
Baltimore City	35	1	43	0	0
STATE	197	15	191	1	12

TABLE CC-17
FIVE—YEAR COMPARATIVE TABLE
CIVIL CASES
FILINGS AND TERMINATIONS
FISCAL 1981—FISCAL 1985

	COMBINED ORIGINAL CASES FILED AND TERMINATED AND REOPENED CASES HEARD				COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED					
	1980-81		1981-82		1982-83		1983-84		1984-85	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	3,413	3,178	3,750	3,872	4,182	3,930	4,441	4,214	4,244	3,917
Dorchester	837	777	881	831	892	756	941	861	1,071	1,014
Somerset	315	313	495	519	525	403	650	637	562	499
Wicomico	1,385	1,328	1,519	1,587	1,766	1,812	1,774	1,725	1,425	1,363
Worcester	876	760	855	935	999	959	1,076	991	1,186	1,041
SECOND CIRCUIT	2,923	2,569	3,341	3,453	3,968	3,872	3,823	3,545	3,978	3,771
Caroline	597	544	488	432	530	510	499	491	673	555
Cecil	1,235	1,186	1,394	1,450	1,614	1,651	1,514	1,353	1,701	1,612
Kent	283	293	281	327	285	278	310	284	270	297
Queen Anne's	459	415	619	688	758	728	753	702	671	704
Talbot	349	131	559	556	781	705	747	715	663	603
THIRD CIRCUIT	10,986	10,276	11,405	11,545	12,767	12,770	13,328	12,262	14,168	11,591
Baltimore	8,707	8,187	8,974	9,323	10,290	10,739	10,507	10,039	11,200	9,472
Harford	2,279	2,089	2,431	2,222	2,477	2,031	2,821	2,223	2,968	2,119
FOURTH CIRCUIT	2,965	2,520	3,075	3,878	3,425	3,180	3,620	3,239	4,016	3,735
Allegany	956	688	981	1,491	1,064	1,100	954	705	1,048	919
Garrett	438	435	411	434	455	476	511	539	510	518
Washington	1,571	1,397	1,683	1,953	1,906	1,604	2,155	1,995	2,458	2,298
FIFTH CIRCUIT	9,366	8,120	10,121	8,330	11,770	9,044	14,583	13,985	16,743	14,166
Anne Arundel	6,314	5,255	6,923	5,739	8,125	5,386	10,901	10,535	12,645	10,369
Carroll	1,209	1,255	1,219	1,089	1,712	1,747	1,667	1,532	1,784	1,549
Howard	1,843	1,610	1,979	1,502	1,933	1,911	2,015	1,918	2,314	2,248
SIXTH CIRCUIT	10,176	7,360	10,614	7,735	13,371	11,069	13,667	12,587	13,838	13,474
Frederick	1,584	1,592	1,843	2,127	1,773	1,891	1,957	1,796	1,883	1,901
Montgomery	8,592	5,768	8,771	5,608	11,598	9,178	11,710	10,791	11,955	11,573
SEVENTH CIRCUIT	16,217	13,204	19,194	15,815	20,220	17,027	22,378	23,357	21,695	17,076
Calvert	968	971	736	810	712	720	839	668	798	746
Charles	1,563	1,321	1,508	1,697	1,752	1,623	1,692	1,594	1,860	1,705
Prince George's	12,491	9,941	15,845	11,836	16,533	13,448	18,738	20,046	18,046	13,729
St. Mary's	1,195	971	1,105	1,472	1,223	1,236	1,109	1,049	991	896
EIGHTH CIRCUIT	19,290	15,035	20,133	16,352	18,215	10,547	18,746	13,181	23,348	18,076
Baltimore City	19,290	15,035	20,133	16,352	18,215	10,547	18,746	13,181	23,348	18,076
STATE	75,336	62,262	81,633	70,980	87,918	71,439	94,586	86,370	102,030	85,806

TABLE CC-18
CIVIL CASES
RATIO OF TRIALS TO DISPOSITIONS
JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Dispositions	Trials	Per- centages	Court Trials	Per- centages	Jury Trials	Per- centages
FIRST CIRCUIT	3,917	264	6.7	211	5.4	53	1.3
Dorchester	1,014	36	3.6	24	2.4	12	1.2
Somerset	499	24	4.8	21	4.2	3	0.6
Wicomico	1,363	112	8.2	94	6.9	18	1.3
Worcester	1,041	92	8.8	72	6.9	20	1.9
SECOND CIRCUIT	3,771	551	14.6	516	13.7	35	0.9
Caroline	555	104	18.7	96	17.3	8	1.4
Cecil	1,612	381	23.6	367	22.8	14	0.8
Kent	297	16	5.4	12	4.0	4	1.4
Queen Anne's	704	42	6.0	36	5.1	6	0.9
Talbot	603	8	1.3	5	0.8	3	0.5
THIRD CIRCUIT	11,591	827	7.1	710	6.1	117	1.0
Baltimore	9,472	437	4.6	349	3.7	88	0.9
Harford	2,119	390	18.4	361	17.0	29	1.4
FOURTH CIRCUIT	3,735	262	7.0	201	5.4	61	1.6
Allegany	919	98	10.7	78	8.5	20	2.2
Garrett	518	90	17.4	85	16.4	5	1.0
Washington	2,298	74	3.2	38	1.7	36	1.5
FIFTH CIRCUIT	14,166	648	4.6	530	3.8	118	0.8
Anne Arundel	10,369	304	2.9	227	2.2	77	0.7
Carroll	1,549	125	8.0	112	7.2	13	0.8
Howard	2,248	219	9.7	191	8.5	28	1.2
SIXTH CIRCUIT	13,474	859	6.4	664	4.9	195	1.5
Frederick	1,901	263	13.8	242	12.7	21	1.1
Montgomery	11,573	596	5.1	422	3.6	174	1.5
SEVENTH CIRCUIT	17,076	1,466	8.6	1,290	7.6	176	1.0
Calvert	746	127	17.0	116	15.5	11	1.5
Charles	1,705	338	19.8	313	18.4	25	1.4
Prince George's	13,729	918	6.7	787	5.7	131	1.0
St. Mary's	896	83	9.3	74	8.3	9	1.0
EIGHTH CIRCUIT	18,076	1,635	9.0	1,290	7.1	345	1.9
Baltimore City	18,076	1,635	9.0	1,290	7.1	345	1.9
STATE	85,806	6,512	7.6	5,412	6.3	1,100	1.3

TABLE CC-19
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES TRIED
FISCAL 1981-FISCAL 1985

	1980-81	1981-82	1982-83	1983-84	1984-85
FIRST CIRCUIT	168	195	218	173	264
Dorchester	41	23	22	18	36
Somerset	9	31	23	25	24
Wicomico	99	117	117	85	112
Worcester	19	24	56	45	92
SECOND CIRCUIT	244	352	343	401	551
Caroline	14	4	9	50	104
Cecil	151	262	282	266	381
Kent	26	24	14	21	16
Queen Anne's	46	48	36	52	42
Talbot	7	14	2	12	8
THIRD CIRCUIT	1,303	1,277	1,167	1,025	827
Baltimore	735	750	597	515	437
Harford	568	527	570	510	390
FOURTH CIRCUIT	216	357	449	311	262
Allegany	39	124	138	74	98
Garrett	60	98	100	109	90
Washington	117	135	211	128	74
FIFTH CIRCUIT	1,047	1,153	1,466	1,104	647
Anne Arundel	701	868	772	614	304
Carroll	222	117	509	300	124
Howard	124	168	185	190	219
SIXTH CIRCUIT	3,065	2,753	2,963	2,209	859
Frederick	180	294	411	370	263
Montgomery	2,885	2,459	2,552	1,839	596
SEVENTH CIRCUIT	1,595	2,680	2,139	1,415	1,466
Calvert	113	101	122	113	127
Charles	62	406	337	311	338
Prince George's	1,312	2,115	1,626	943	918
St. Mary's	108	38	54	48	83
EIGHTH CIRCUIT	1,085	971	354*	1,343	1,635
Baltimore City	1,085	971	354*	1,343	1,635
STATE	8,723	9,718	9,099*	7,981	6,511

*Reporting of cases tried from Baltimore City is not completely available for fiscal 1983.

NOTE: See note on Table CC-7.

TABLE CC-20

**CIVIL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN
SPECIFIC TIME PERIODS**

**JULY 1, 1984-JUNE 30, 1985
FISCAL 1985**

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 721 Days	61 Days	181 Days	361 Days	721 Days	1081 Days
FIRST CIRCUIT								
Dorchester	426	279	147	33.1	58.9	76.1	88.0	93.9
Somerset	300	162	107	51.7	76.7	86.0	95.3	97.3
Wicomico	1,119	180	148	47.2	68.9	79.9	95.8	99.5
Worcester	851	211	175	34.0	63.0	80.6	96.0	99.2
SECOND CIRCUIT								
Caroline	412	169	143	36.2	68.7	86.7	96.8	99.3
Cecil	1,083	193	153	41.5	66.9	80.9	94.6	99.4
Kent	287	173	129	40.1	71.1	83.3	94.8	99.3
Queen Anne's	408	126	88	41.9	67.2	81.4	96.1	98.8
Talbot	414	216	155	41.1	66.7	76.6	92.3	98.8
THIRD CIRCUIT								
Baltimore	8,734	310	216	24.2	50.6	66.0	88.6	96.5
Harford	1,726	269	182	27.7	60.7	76.3	90.5	95.7
FOURTH CIRCUIT								
Allegany	817	443	261	16.8	39.9	51.4	80.2	91.3
Garrett	385	220	192	32.5	58.4	73.8	96.1	99.0
Washington	1,818	332	179	33.6	56.1	67.6	85.2	92.5
FIFTH CIRCUIT								
Anne Arundel	5,188	236	173	28.6	60.3	79.5	93.7	97.7
Carroll	1,235	263	147	33.2	63.7	77.5	88.6	94.9
Howard	2,039	434	261	9.3	35.2	56.4	80.4	90.9
SIXTH CIRCUIT								
Frederick	1,539	224	169	30.1	62.8	79.5	94.4	97.8
Montgomery	9,454	622	223	16.3	35.4	48.1	65.1	77.1
SEVENTH CIRCUIT								
Calvert	678	228	170	31.1	60.5	77.6	92.2	98.7
Charles	1,222	226	181	27.1	58.9	79.7	94.2	98.9
Prince George's	10,291	350	246	16.3	42.6	64.5	89.9	95.6
St. Mary's	761	202	178	25.1	59.8	82.8	97.1	99.1
EIGHTH CIRCUIT								
Baltimore City	17,544	252	187	31.4	58.7	74.4	93.1	97.6
STATE								
	68,731	328	200	25.7	52.1	68.5	87.6	94.0

Note: Does not include reopened cases. In some counties the number of terminated cases may differ and will be lower than figures appearing on other pages in this report. See also note to Table CC-9.

TABLE CC-21
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES
FILINGS AND TERMINATIONS
FISCAL 1981-FISCAL 1985

	COMBINED ORIGINAL CASES FILED AND TERMINATED AND REOPENED CASES HEARD				COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED					
	1980-81*		1981-82**		1982-83		1983-84		1984-85	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	2,063	1,395	1,263	2,048	1,493	1,399	1,489	1,494	1,594	1,512
Dorchester	225	140	160	247	169	154	215	190	260	253
Somerset	176	124	92	92	115	61	108	122	155	150
Wicomico	712	582	609	778	686	652	668	685	632	637
Worcester	950	549	402	931	523	532	498	497	547	472
SECOND CIRCUIT	1,064	758	1,041	1,099	1,020	1,058	915	908	956	925
Caroline	102	68	109	105	146	129	123	124	142	116
Cecil	548	418	554	548	423	457	465	416	429	461
Kent	92	59	65	103	105	87	48	56	54	57
Queen Anne's	189	119	160	197	171	197	165	161	165	170
Talbot	133	94	153	146	175	188	114	151	166	121
THIRD CIRCUIT	5,807	4,656	5,604	5,574	6,506	5,340	6,378	5,649	7,136	6,033
Baltimore	4,862	3,850	4,718	4,636	5,564	4,820	5,211	4,806	5,799	4,967
Harford	945	806	886	938	942	720	1,167	843	1,337	1,066
FOURTH CIRCUIT	1,164	1,069	846	1,027	743	792	729	718	844	770
Allegany	331	271	230	294	166	201	219	178	248	232
Garrett	137	104	131	120	134	149	86	109	113	85
Washington	696	694	485	613	443	442	424	431	483	453
FIFTH CIRCUIT	4,439	3,651	4,158	4,483	4,414	3,779	5,010	4,116	5,135	4,870
Anne Arundel	2,547	2,186	2,485	2,559	2,421	2,189	2,493	1,925	2,562	2,313
Carroll	753	660	604	696	837	588	1,196	980	1,134	1,218
Howard	1,139	805	1,069	1,228	1,156	1,002	1,321	1,211	1,439	1,339
SIXTH CIRCUIT	2,723	1,947	2,719	2,316	3,529	2,582	4,538	3,754	5,465	4,443
Federick	503	343	402	570	345	395	357	317	487	472
Montgomery	2,220	1,604	2,317	1,746	3,184	2,187	4,181	3,437	4,978	3,971
SEVENTH CIRCUIT	4,821	4,251	4,696	4,790	5,823	5,120	6,747	6,609	7,987	7,208
Calvert	306	248	226	328	167	133	206	193	342	281
Charles	684	771	479	489	678	553	571	517	613	571
Prince George's	3,555	3,000	3,785	3,703	4,744	4,226	5,645	5,607	6,707	6,038
St. Mary's	276	232	206	270	234	208	325	292	325	318
EIGHTH CIRCUIT	23,980	22,897	10,248	7,586	10,334	8,459	10,932	11,210	13,430	13,772
Baltimore City	23,980	22,897	10,248	7,586	10,334	8,459	10,932	11,210	13,430	13,772
STATE	46,061	40,624	30,575	28,923	33,862	28,729	36,738	34,458	42,547	39,533

*One case represented one charge (count) rather than one incident in Baltimore City. An audit conducted in 1980 found that by using charge statistics Baltimore City reported 2.19 times the number of filings and 2.01 times the number of terminations as would have been reported under a system comparable to other counties.

**Baltimore City changed its counting procedures from individual charges to cases in July 1981. Cases are defined as charges arising out of a single incident. Thus, one case represents one incident.

NOTE: Included in the termination figures for 1980-81 are criminal cases which are actually closed but remain on the open case file because of CJIS considerations.

TABLE CC-22
CRIMINAL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	1,512	606	40.1	468	31.0	138	9.1
Dorchester	253	153	60.5	115	45.5	38	15.0
Somerset	150	60	40.0	44	29.3	16	10.7
Wicomico	637	173	27.2	134	21.0	39	6.2
Worcester	472	220	46.6	175	37.1	45	9.5
SECOND CIRCUIT	925	275	29.7	190	20.5	85	9.2
Caroline	116	28	24.1	8	6.9	20	17.2
Cecil	461	87	18.9	33	7.2	54	11.7
Kent	57	1	1.8	0	0.0	1	1.8
Queen Anne's	170	99	58.2	98	57.6	1	0.6
Talbot	121	60	49.6	51	42.1	9	7.5
THIRD CIRCUIT	6,033	278	4.6	205	3.4	73	1.2
Baltimore	4,967	175	3.5	148	3.0	27	0.5
Harford	1,066	103	9.7	57	5.4	46	4.3
FOURTH CIRCUIT	770	185	24.0	64	8.3	121	15.7
Allegany	232	75	32.3	36	15.5	39	16.8
Garrett	85	11	12.9	5	5.9	6	7.0
Washington	453	99	21.9	23	5.1	76	16.8
FIFTH CIRCUIT	4,870	1,227	25.2	1,066	21.9	161	3.3
Anne Arundel	2,313	468	20.2	367	15.9	101	4.3
Carroll	1,218	112	9.2	91	7.5	21	1.7
Howard	1,339	647	48.3	608	45.4	39	2.9
SIXTH CIRCUIT	4,443	517	11.6	252	5.7	265	5.9
Fredrick	472	232	49.2	181	38.4	51	10.8
Montgomery	3,971	285	7.2	71	1.8	214	5.4
SEVENTH CIRCUIT	7,208	253	3.5	73	1.0	180	2.5
Calvert	281	30	10.7	17	6.0	13	4.7
Charles	571	41	7.2	6	1.1	35	6.1
Prince George's	6,038	161	2.7	44	0.7	117	2.0
St. Mary's	318	21	6.6	6	1.9	15	4.7
EIGHTH CIRCUIT	13,772	1,126	8.2	849	6.2	277	2.0
Baltimore City	13,772	1,126	8.2	849	6.2	277	2.0
STATE	39,533	4,467	11.3	3,167	8.0	1,300	3.3

NOTE: See footnote on Table CC-7.

TABLE CC-23
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES TRIED
FISCAL 1981-FISCAL 1985

	1980-81	1981-82	1982-83	1983-84	1984-85
FIRST CIRCUIT	500	544	510	599	606
Dorchester	53	130	137	156	153
Somerset	122	85	56	57	60
Wicomico	194	260	261	163	173
Worcester	131	69	56	223	220
SECOND CIRCUIT	559	755	515	378	275
Caroline	28	60	86	79	28
Cecil	337	406	169	86	87
Kent	40	28	15	12	1
Queen Anne's	106	146	136	110	99
Talbot	48	115	109	91	60
THIRD CIRCUIT	1,885	2,683	2,668	2,828	278
Baltimore	1,734	2,543	2,577	2,698	175
Harford	151	140	91	130	103
FOURTH CIRCUIT	406	427	372	172	185
Allegany	234	268	200	77	75
Garrett	24	12	52	21	11
Washington	148	145	120	74	99
FIFTH CIRCUIT	1,727	2,101	1,829	1,512	1,227
Anne Arundel	757	818	520	514	468
Carroll	479	548	654	361	112
Howard	491	735	655	637	647
SIXTH CIRCUIT	329	348	290	348	517
Frederick	85	83	83	82	232
Montgomery	244	265	207	266	285
SEVENTH CIRCUIT	607	455	281	299	253
Calvert	27	36	10	25	30
Charles	71	38	48	36	41
Prince George's	490	369	203	221	161
St. Mary's	19	12	20	17	21
EIGHTH CIRCUIT	5,052	894	1,395	1,159	1,126
Baltimore City	5,052	894	1,395	1,159	1,126
STATE	11,065	8,207	7,860	7,295	4,467

NOTE: See footnote on Table CC-7.

TABLE CC-24

**CRIMINAL—AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN
SPECIFIC TIME PERIODS**

**JULY 1, 1984-JUNE 30, 1985
FISCAL 1985**

	Number of Cases	AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
		All Cases	Excluding Cases Over 360 Days	61 Days	91 Days	121 Days	181 Days	361 Days
FIRST CIRCUIT								
Dorchester	229	175	132	10.0	29.7	49.3	76.9	96.5
Somerset	149	256	111	8.1	28.9	67.1	79.2	87.2
Wicomico	518	93	86	26.3	62.4	84.0	96.3	99.4
Worcester	414	123	117	9.7	31.4	65.9	87.2	98.8
SECOND CIRCUIT								
Caroline	94	144	125	9.6	27.7	47.9	79.8	93.6
Cecil	366	166	157	8.2	12.8	29.0	63.7	99.5
Kent	52	170	159	3.8	13.5	30.8	71.2	98.1
Queen Anne's	118	125	123	14.4	26.3	49.2	84.7	99.2
Talbot	91	152	143	11.0	22.0	38.5	73.6	97.8
THIRD CIRCUIT								
Baltimore	4,043	133	99	26.1	51.4	72.0	85.1	95.3
Harford	738	223	173	6.2	17.9	29.1	50.4	90.0
FOURTH CIRCUIT								
Allegany	204	151	126	20.1	37.7	50.0	70.6	93.6
Garrett	69	133	125	13.0	29.0	53.6	78.3	97.1
Washington	374	150	130	10.2	31.3	45.2	76.5	96.5
FIFTH CIRCUIT								
Anne Arundel	1,903	163	144	6.6	19.2	39.8	70.6	95.0
Carroll	998	208	167	4.5	13.6	24.4	56.9	92.5
Howard	908	168	131	4.6	28.5	50.2	76.1	95.3
SIXTH CIRCUIT								
Frederick	416	116	103	21.9	36.3	68.8	90.1	96.2
Montgomery	3,148	179	142	15.4	27.3	42.5	65.7	94.0
SEVENTH CIRCUIT								
Calvert	191	100	96	33.5	42.9	68.6	93.2	99.5
Charles	381	162	152	6.3	12.3	26.8	73.5	97.6
Prince George's	5,601	114	104	23.2	51.9	69.1	85.4	97.4
St. Mary's	263	142	135	15.6	37.3	46.4	72.2	97.7
EIGHTH CIRCUIT								
Baltimore City	13,719	115	93	41.6	53.1	68.5	83.9	95.9
STATE	34,987	135	111	26.8	43.8	60.9	79.9	95.8

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-9.

TABLE CC-25
FIVE-YEAR COMPARATIVE TABLE
JUVENILE CAUSES
FILINGS AND TERMINATIONS

FISCAL 1981-FISCAL 1985

	COMBINED ORIGINAL CASES FILED AND TERMINATED AND REOPENED CASES HEARD				COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED					
	1980-81		1981-82		1982-83		1983-84		1984-85	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	529	453	493	466	523	474	468	493	528	470
Dorchester	94	78	94	63	95	78	149	153	149	141
Somerset	59	56	48	51	35	24	42	40	42	30
Wicomico	210	185	220	238	217	197	141	163	160	171
Worcester	166	134	131	114	176	175	136	137	149	119
SECOND CIRCUIT	449	411	575	607	614	604	531	628	691	672
Caroline	51	49	81	66	74	74	65	68	82	76
Cecil	192	207	271	272	274	259	377	364	354	362
Kent	39	33	32	29	40	37	30	25	48	48
Queen Anne's	87	64	107	139	125	124	73	74	103	103
Talbot	80	58	84	101	101	110	86	97	104	83
THIRD CIRCUIT	2,849	2,557	3,294	3,326	3,008	2,722	3,225	3,191	3,840	3,674
Baltimore	2,288	2,140	2,656	2,899	2,487	2,479	2,634	2,681	3,177	3,076
Harford	561	417	638	427	521	243	591	510	663	598
FOURTH CIRCUIT	851	770	886	919	962	960	1,029	1,013	1,087	1,073
Allegany	363	334	378	366	347	357	371	349	406	413
Garrett	131	117	103	107	135	132	104	113	95	95
Washington	357	319	405	446	480	471	554	551	586	565
FIFTH CIRCUIT	2,885	2,638	3,182	2,975	3,722	3,495	4,134	3,838	4,159	4,286
Anne Arundel	1,869	1,752	2,184	2,006	2,652	2,560	3,107	2,805	3,043	3,155
Carroll	489	448	554	550	641	594	571	579	625	589
Howard	527	438	444	419	429	341	456	474	491	542
SIXTH CIRCUIT	2,634	1,724	3,525	3,663	3,882	3,844	4,391	3,979	4,169	3,954
Frederick	224	195	256	229	239	251	250	258	348	326
Montgomery*	2,410	1,529	3,269	3,434	3,643	3,593	4,131	3,721	3,821	3,628
SEVENTH CIRCUIT	5,431	4,861	6,677	6,883	6,442	6,376	6,436	6,133	6,384	6,550
Calvert	366	323	332	389	277	277	272	273	327	308
Charles	477	427	707	673	696	743	747	657	722	764
Prince George's	4,369	3,938	5,470	5,588	5,274	5,164	5,270	5,074	5,163	5,333
St. Mary's	219	173	168	233	195	192	147	129	172	145
EIGHTH CIRCUIT	9,743	8,487	11,118	9,669	11,008	7,905	10,443	7,942	10,350	9,379
Baltimore City	9,743	8,487	11,118	9,669	11,008	7,905	10,443	7,942	10,350	9,379
STATE	25,371	21,901	29,750	28,508	30,161	26,380	30,757	27,237	31,208	30,058

*Includes juvenile causes processed at the District Court level.

TABLE CC-26

**JUVENILE-AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES
AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN
SPECIFIC TIME PERIODS**

**JULY 1, 1984-JUNE 30, 1985
FISCAL 1985**

	AVERAGE IN DAYS FILING TO DISPOSITION			CUMULATIVE PERCENTAGE OF CASES DISPOSED OF LESS THAN:					
	Number of Cases	All Cases	Excluding Cases Over 271 Days	31 Days	61 Days	121 Days	181 Days	271 Days	361 Days
FIRST CIRCUIT									
Dorchester	77	37	37	48.1	88.3	98.7	98.7	100.0	100.0
Somerset	27	66	26	70.4	85.2	96.3	96.3	96.3	96.3
Wicomico	136	32	32	63.2	91.9	99.3	100.0	100.0	100.0
Worcester	108	55	47	26.9	81.5	93.5	93.5	97.2	99.1
SECOND CIRCUIT									
Caroline	51	65	59	19.6	56.9	94.1	96.1	98.0	100.0
Cecil	348	71	48	27.0	76.1	95.1	98.0	98.9	98.9
Kent	32	73	65	28.1	75.0	84.4	84.4	96.9	100.0
Queen Anne's	65	44	40	30.8	86.2	98.5	98.5	98.5	100.0
Talbot	63	52	52	30.2	74.6	98.4	100.0	100.0	100.0
THIRD CIRCUIT									
Baltimore	2,155	54	43	34.1	79.0	92.5	95.1	97.2	98.0
Harford	465	78	48	28.4	69.9	94.0	95.7	95.9	96.3
FOURTH CIRCUIT									
Allegany	401	32	29	70.6	84.0	94.3	98.5	99.0	100.0
Garrett	79	32	32	58.2	89.9	97.5	100.0	100.0	100.0
Washington	305	36	36	51.5	83.6	98.7	100.0	100.0	100.0
FIFTH CIRCUIT									
Anne Arundel	1,626	91	82	8.9	30.9	81.7	94.1	97.4	98.5
Carroll	296	78	68	12.2	42.6	90.9	94.9	97.0	98.0
Howard	471	82	71	9.6	41.0	91.1	96.4	98.1	98.5
SIXTH CIRCUIT									
Frederick	196	59	59	28.1	47.4	95.9	99.0	100.0	100.0
Montgomery	1,943	161	92	18.4	32.9	64.6	82.3	91.3	94.5
SEVENTH CIRCUIT									
Calvert	275	105	73	12.7	56.0	75.6	81.5	89.8	94.2
Charles	501	116	65	7.8	41.9	94.4	96.2	97.0	97.4
Prince George's	2,778	104	63	19.7	51.3	86.0	91.5	93.8	94.7
St. Mary's	129	88	81	8.5	31.0	88.4	93.0	96.9	99.2
EIGHTH CIRCUIT									
Baltimore City	8,207	86	63	32.9	60.3	81.1	89.3	95.6	97.1
STATE	20,734	90	64	27.2	56.6	83.8	91.2	95.6	97.0

NOTE: Does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. See also note to Table CC-9.

DC-1

MOTOR VEHICLE AND CRIMINAL CASES PROCESSED AND
CIVIL CASES FILED IN THE DISTRICT COURT OF MARYLANDJULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	MOTOR VEHICLE CASES PROCESSED BY DISTRICT COURT					CRIMINAL CASES PROCESSED BY DISTRICT COURT
	Cases Received	Cases Tried	Cases Paid	Other Dispo- sitions	Total Cases Processed	No. of Cases
DISTRICT 1 Baltimore City	70,866	31,562	30,258	4,118	65,938	48,760
DISTRICT 2 Dorchester	7,578	1,221	4,946	200	6,367	1,115
Somerset	5,263	705	3,954	145	4,804	540
Wicomico	18,816	1,901	14,820	769	17,490	1,618
Worcester	13,358	2,423	9,067	898	12,388	2,208
DISTRICT 3 Caroline	5,535	1,461	5,689	299	7,449	579
Cecil	34,413	4,441	23,858	560	28,859	1,790
Kent	3,348	276	2,953	65	3,294	490
Queen Anne's	8,294	953	4,802	264	6,019	544
Talbot	9,039	1,608	6,344	284	8,236	687
DISTRICT 4 Calvert	8,406	2,050	4,615	345	7,110	914
Charles	12,960	2,246	8,240	1,182	11,668	1,958
St. Mary's	9,470	1,468	5,966	1,239	8,673	741
DISTRICT 5 Prince George's	123,617	23,990	73,203	7,394	104,587	20,020
DISTRICT 6 Montgomery	154,002	25,835	00,804	6,427	133,066	9,519
DISTRICT 7 Anne Arundel	63,907	22,627	30,926	2,182	55,735	8,461
DISTRICT 8 Baltimore	143,424	56,677	69,330	4,106	130,113	15,429
DISTRICT 9 Harford	30,791	8,500	18,208	1,213	27,921	2,560
DISTRICT 10 Carroll	13,177	4,039	8,602	1,148	13,789	1,653
Howard	41,108	9,580	21,393	1,976	32,949	3,029
DISTRICT 11 Frederick	30,827	5,247	21,719	2,263	29,229	2,452
Washington	23,818	2,501	17,640	1,233	21,374	2,247
DISTRICT 12 Allegany	11,891	2,258	7,879	599	10,736	1,737
Garrett	7,596	934	5,622	162	6,718	603
STATE	851,504	214,503	500,838	39,171	754,512	129,654

(continued)

DC-1 (continued)

CIVIL CASES FILED IN THE DISTRICT COURT								TOTAL FILED OR PROCESSED
	Landlord and Tenant		Contract and Tort		Other Cases Filed ^a	Total		
	Filed	Con- tested	Filed	Con- tested		Filed	Con- tested	
DISTRICT 1 Baltimore City	181,637	21,777	30,807	3,267	3,499	215,943	25,044	330,641
DISTRICT 2 Dorchester	561	28	1,025	40	189	1,775	68	9,257
Somerset	76	25	466	38	140	682	63	6,026
Wicomico	3,239	98	2,076	182	637	5,952	280	25,060
Worcester	547	174	1,438	239	209	2,194	413	16,790
DISTRICT 3 Caroline	192	39	734	37	99	1,025	76	9,053
Cecil	562	155	1,783	128	203	2,548	283	33,197
Kent	97	33	986	25	71	1,154	58	4,938
Queen Anne's	143	42	853	27	108	1,104	69	7,667
Talbot	176	25	816	119	73	1,065	144	9,988
DISTRICT 4 Calvert	174	33	1,017	110	223	1,414	143	9,438
Charles	1,028	87	1,509	75	243	2,780	162	16,406
St. Mary's	422	96	1,252	11	163	1,837	107	11,251
DISTRICT 5 Prince George's	96,424	6,671	22,974	986	2,372	121,770	7,657	246,377
DISTRICT 6 Montgomery	30,451	N/A	19,856	1,458	3,014	53,321	1,458	195,906
DISTRICT 7 Anne Arundel	20,915	2,686	11,043	533	1,531	33,489	3,219	97,685
DISTRICT 8 Baltimore	62,185	1,674	16,462	1,874	2,038	80,685	3,548	226,227
DISTRICT 9 Harford	4,095	298	3,847	355	531	8,473	653	38,954
DISTRICT 10 Carroll	852	135	1,847	N/A	246	2,945	135	18,387
Howard	5,108	139	4,664	N/A	370	10,142	139	46,120
DISTRICT 11 Frederick	2,260	145	2,494	181	352	5,106	326	36,787
Washington	1,903	320	3,256	187	401	5,560	507	29,181
DISTRICT 12 Allegany	227	136	1,184	239	143	1,554	375	14,027
Garrett	74	17	622	85	69	765	102	8,086
STATE	413,348	34,833	133,011	10,196	16,924	563,283	45,029	1,447,449

^a The civil rules changes effective July 1, 1984, resulted in the change in the method of compiling the number to be included as "other filings," beginning with FY 1985. The attachments before judgment, confessed judgments, and replevin actions are reported as "other filings." However, supplementary proceedings are no longer included.

TABLE DC-2
FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE AND CRIMINAL CASES PROCESSED
AND CIVIL CASES FILED IN THE DISTRICT COURT
FISCAL 1981-FISCAL 1985

	1980-81 ^{a,b}	1981-82	1982-83	1983-84	1984-85 ^c
DISTRICT 1 Baltimore City	282,352	293,947	317,645	317,274	330,641
DISTRICT 2 Dorchester	8,006	6,816	6,653	8,324	9,257
Somerset	6,347	6,623	6,381	6,114	6,026
Wicomico	22,289	21,562	24,590	25,122	25,060
Worcester	18,360	14,959	16,528	16,716	16,790
DISTRICT 3 Caroline	4,763	4,663	4,353	5,298	9,053
Cecil	26,716	25,115	30,882	28,145	33,197
Kent	3,860	4,450	4,089	4,046	4,938
Queen Anne's	7,162	8,022	9,097	8,145	7,667
Talbot	7,993	7,796	8,976	8,171	9,988
DISTRICT 4 Calvert	7,631	8,340	10,452	10,339	9,438
Charles	13,724	14,475	13,986	17,782	16,406
St. Mary's	9,303	10,020	9,974	8,675	11,251
DISTRICT 5 Prince George's	250,362	248,058	279,523	260,429	246,377
DISTRICT 6 Montgomery	153,278	169,797	178,752	174,031	195,906
DISTRICT 7 Anne Arundel	76,466	79,610	77,230	87,925	97,685
DISTRICT 8 Baltimore	215,654	190,002	194,513	203,471	226,227
DISTRICT 9 Harford	34,338	34,199	37,735	38,235	38,954
DISTRICT 10 Carroll	12,588	12,121	15,215	14,542	18,387
Howard	39,332	44,572	48,645	46,960	46,120
DISTRICT 11 Frederick	30,426	30,248	32,432	33,508	36,787
Washington	26,556	26,776	27,473	26,695	29,181
DISTRICT 12 Allegany	13,225	14,022	13,998	13,440	14,027
Garrett	5,067	4,935	5,558	6,219	8,086
STATE	1,275,800	1,281,128	1,374,690	1,369,606	1,447,449

^a Criminal figures are not available for the months of July and August 1980 for all jurisdictions and for Baltimore City for September 1980 as well. Above statistics have been adjusted by District Court personnel to reflect comparable annual totals.

^b These figures have been adjusted and are not consistent with previous 1980-81 figures.

^c The civil rules changes effective July 1, 1984, resulted in the change in the method of compiling the number to be included as "other filings," beginning with FY 1985. The attachments before judgment, confessed judgments, and replevin actions are reported as "other filings." However, supplementary proceedings are no longer included.

TABLE DC-3
POPULATION AND CASELOAD PER DISTRICT COURT JUDGE^a
AS OF JUNE 30, 1985

JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Number of Judges	Population Per Judge ^b	CASES FILED OR PROCESSED PER JUDGE			
			Civil ^c	Motor Vehicle	Criminal	Total
DISTRICT 1 Baltimore City	23	31,617	9,389	2,867	2,120	14,376
DISTRICT 2 Dorchester	1	31,200	1,775	6,367	1,115	9,257
Somerset	1	19,400	682	4,804	540	6,026
Wicomico	1	70,000	5,952	17,490	1,618	25,060
Worcester	1	34,500	2,194	12,388	2,208	16,790
DISTRICT 3 Caroline	1	25,000	1,025	7,449	579	9,053
Cecil	2	32,000	1,274	14,430	895	16,599
Kent	1	17,000	1,154	3,294	490	4,938
Queen Anne's	1	29,600	1,104	6,019	544	7,667
Talbot	1	26,500	1,065	8,236	687	9,988
DISTRICT 4 Calvert	1	42,600	1,414	7,110	914	9,438
Charles	1	87,200	2,780	11,668	1,958	16,406
St. Mary's	1	66,800	1,837	8,673	741	11,251
DISTRICT 5 Prince George's	10	66,560	12,177	10,459	2,002	24,638
DISTRICT 6 Montgomery	8 ^d	76,313	6,665	16,633	1,190	24,488
DISTRICT 7 Anne Arundel	6	68,500	5,582	9,289	1,410	16,281
DISTRICT 8 Baltimore	12	56,158	6,724	10,843	1,286	18,852
DISTRICT 9 Harford	3	53,967	2,824	9,307	853	12,985
DISTRICT 10 Carroll	2	55,800	1,473	6,895	827	9,194
Howard	3	50,100	3,381	10,983	1,010	15,373
DISTRICT 11 Frederick	2	65,850	2,553	14,615	1,226	18,394
Washington	2	59,050	2,780	10,687	1,124	14,591
DISTRICT 12 Allegany	2	39,450	777	5,368	869	7,014
Garrett	1	29,200	765	6,718	603	8,086
STATE	87	50,387	6,475	8,673	1,490	16,637

^a Chief Judge of District Court not included in statistics. Number of judges as of June 30, 1985.

^b Population estimate for July 1, 1985, issued by the Maryland Center for Health Statistics.

^c The civil rules changes effective July 1, 1984, resulted in the change in the method of compiling the number to be included in "other filings," beginning with FY 1985. The attachments before judgment, confessed judgments, and replevin actions are reported as "other filings." However, supplementary proceedings are no longer included.

^d Two Juvenile Court judges and juvenile causes omitted as included in juvenile statistics.

TABLE DC-4
CASES FILED OR PROCESSED IN THE DISTRICT COURT
PER THOUSAND POPULATION
JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Population ^a	Civil Filed ^b	Motor Vehicle Processed	Criminal Processed	Total
DISTRICT 1					
Baltimore City	727,200	297	91	67	455
DISTRICT 2					
Dorchester	31,200	57	204	36	297
Somerset	19,400	35	248	28	311
Wicomico	70,000	85	250	23	358
Worcester	34,500	64	359	64	487
DISTRICT 3					
Caroline	25,000	41	298	23	362
Cecil	64,000	40	450	28	519
Kent	17,000	68	194	29	290
Queen Anne's	29,600	37	203	18	259
Talbot	26,500	40	311	26	377
DISTRICT 4					
Calvert	42,600	33	167	21	222
Charles	87,200	32	134	22	188
St. Mary's	66,800	28	130	11	168
DISTRICT 5					
Prince George's	665,600	183	157	30	370
DISTRICT 6					
Montgomery	610,500	87	218	16	321
DISTRICT 7					
Anne Arundel	411,000	81	136	21	238
DISTRICT 8					
Baltimore	673,900	120	193	23	336
DISTRICT 9					
Harford	161,900	52	172	16	241
DISTRICT 10					
Carroll	111,600	26	124	15	165
Howard	150,300	67	219	20	307
DISTRICT 11					
Frederick	131,700	39	222	19	279
Washington	118,100	47	181	19	247
DISTRICT 12					
Allegany	78,900	20	136	22	178
Garrett	29,200	26	230	21	277
STATE	4,383,700	128	172	30	330

^a Population estimate for July 1, 1985, issued by the Maryland Center for Health Statistics.

^b The civil rules changes effective July 1, 1984, resulted in the change in the method of compiling the number to be included as "other filings," beginning with FY 1985. The attachments before judgment, confessed judgments, and replevin actions are reported as "other filings." However, supplementary proceedings are no longer included.

TABLE DC-5
FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE CASES
PROCESSED BY THE DISTRICT COURT
FISCAL 1981-FISCAL 1985

	1980-81 ^a	1981-82	1982-83	1983-84	1984-85
DISTRICT 1 Baltimore City	61.164	60.931	71.395	61.421	65.938
DISTRICT 2 Dorchester	4.863	3.790	3.804	5.748	6.367
Somerset	4.715	5.298	5.198	5.011	4.804
Wicomico	16.453	15.796	18.000	18.990	17.490
Worcester	14.854	11.217	13.205	13.028	12.388
DISTRICT 3 Caroline	3.204	2.894	2.728	3.779	7.449
Cecil	23.330	21.316	27.099	23.998	28.859
Kent	2.651	3.062	2.415	2.669	3.294
Queen Anne's	5.794	6.509	7.193	6.438	6.019
Talbot	6.317	6.065	7.070	6.632	8.236
DISTRICT 4 Calvert	5.662	6.103	7.746	7.929	7.110
Charles	9.397	9.395	9.841	13.251	11.668
St. Mary's	6.139	6.780	7.763	6.499	8.673
DISTRICT 5 Prince George's	111.562	105.947	134.660	114.268	104.587
DISTRICT 6 Montgomery	100.708	110.053	125.098	115.080	133.066
DISTRICT 7 Anne Arundel	41.023	43.939	40.314	49.594	55.735
DISTRICT 8 Baltimore	130.657	98.615	102.715	106.617	130.113
DISTRICT 9 Harford	23.964	22.972	27.304	26.631	27.921
DISTRICT 10 Carroll	8.214	7.538	8.864	9.958	13.789
Howard	29.252	33.518	40.034	35.348	32.949
DISTRICT 11 Frederick	23.763	22.875	25.942	26.550	29.229
Washington	18.205	18.557	20.434	19.364	21.374
DISTRICT 12 Allegany	8.984	9.874	10.666	9.960	10.736
Garrett	3.712	3.383	4.217	4.807	6.718
STATE	664,567	636,427	725,861 ^b	693,570	754,512

^a These figures have been adjusted and are not consistent with previous 1980-81 figures.

^b 2,156 paid cases are included in the total cases disposed: 1,429 paid cases from Dorchester and Wicomico Counties; 727 paid cases from Frederick and Washington Counties.

TABLE DC-6
FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES BY THE NUMBER OF DEFENDANTS CHARGED
PROCESSED IN THE DISTRICT COURT

FISCAL 1981-FISCAL 1985

	1980-81 ^a	1981-82	1982-83	1983-84	1984-85
DISTRICT 1					
Baltimore City	46,215	47,095	50,847	48,237	48,760
DISTRICT 2					
Dorchester	954	913	1,027	930	1,115
Somerset	785	567	486	497	540
Wicomico	1,819	1,946	1,841	1,680	1,618
Worcester	1,801	1,828	1,631	2,036	2,208
DISTRICT 3					
Caroline	663	848	524	498	579
Cecil	1,845	1,948	1,737	1,694	1,790
Kent	355	463	471	355	490
Queen Anne's	425	400	556	508	544
Talbot	653	656	748	535	687
DISTRICT 4					
Calvert	809	858	825	783	914
Charles	2,029	2,248	1,594	1,630	1,958
St. Mary's	1,404	1,420	953	839	741
DISTRICT 5					
Prince George's	17,870	20,174	20,912	19,866	20,020
DISTRICT 6					
Montgomery	11,717	14,685	8,020	7,776	9,519
DISTRICT 7					
Anne Arundel	8,914	8,490	8,566	7,989	8,461
DISTRICT 8					
Baltimore	14,754	15,336	14,983	17,182	15,429
DISTRICT 9					
Harford	2,601	2,669	2,487	2,842	2,560
DISTRICT 10					
Carroll	1,530	1,419	1,335	1,705	1,653
Howard	3,238	3,095	2,728	2,842	3,029
DISTRICT 11					
Frederick	2,354	2,518	1,811	2,302	2,452
Washington	2,918	2,539	1,847	1,915	2,247
DISTRICT 12					
Allegany	2,731	2,578	1,699	1,723	1,737
Garrett	606	754	557	604	603
STATE	128,990	135,447	128,185	126,968	129,654

^a Criminal figures are not available for the months of July and August 1980 for all jurisdictions and for Baltimore City for September 1980 as well. Above statistics have been adjusted by District Court personnel to reflect comparable annual totals.

TABLE DC-7
FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES
FILED IN THE DISTRICT COURT
FISCAL 1981-FISCAL 1985

	1980-81	1981-82	1982-83	1983-84	1984-85 ^a
DISTRICT 1					
Baltimore City	174,973	185,921	195,403	207,616	215,943
DISTRICT 2					
Dorchester	2,189	2,113	1,822	1,646	1,775
Somerset	847	758	697	606	682
Wicomico	4,017	3,820	4,749	4,452	5,952
Worcester	1,705	1,914	1,692	1,652	2,194
DISTRICT 3					
Caroline	896	921	1,101	1,021	1,025
Cecil	1,541	1,851	2,046	2,453	2,548
Kent	854	925	1,203	1,022	1,154
Queen Anne's	943	1,113	1,348	1,199	1,104
Talbot	1,023	1,075	1,158	1,004	1,065
DISTRICT 4					
Calvert	1,160	1,379	1,881	1,627	1,414
Charles	2,298	2,832	2,551	2,901	2,780
St. Mary's	1,760	1,820	1,258	1,337	1,837
DISTRICT 5					
Prince George's	120,930	121,937	123,951	126,295	121,770
DISTRICT 6					
Montgomery	40,853	45,059	45,634	51,175	53,321
DISTRICT 7					
Anne Arundel	26,529	27,181	28,350	30,342	33,489
DISTRICT 8					
Baltimore	70,243	76,051	76,815	79,672	80,685
DISTRICT 9					
Harford	7,773	8,558	7,944	8,762	8,473
DISTRICT 10					
Carroll	2,844	3,164	3,623	2,879	2,945
Howard	6,842	7,959	7,276	8,770	10,142
DISTRICT 11					
Frederick	4,309	4,855	4,679	4,656	5,106
Washington	5,435	5,680	5,192	5,416	5,560
DISTRICT 12					
Allegany	1,510	1,570	1,633	1,757	1,554
Garrett	749	798	794	808	765
STATE	482,223	509,254	522,800	549,068	563,283

^a The civil rules changes effective July 1, 1984, resulted in the change in the method of compiling the number to be included as "other filings," beginning with FY 1985. The attachments before judgment, confessed judgments, and replevin actions are reported as "other filings." However, supplementary proceedings are no longer included.

TABLE DC-8
FOUR-YEAR COMPARATIVE TABLE
DRIVING WHILE INTOXICATED CASES RECEIVED BY
THE DISTRICT COURT OF MARYLAND
FISCAL 1982-FISCAL 1985

	1981-82	1982-83	1983-84	1984-85
DISTRICT 1 Baltimore City	2,940	3,325	3,007	3,240
DISTRICT 2 Dorchester	245	311	288	290
Somerset	241	222	255	228
Wicomico	925	892	766	577
Worcester	528	698	770	772
DISTRICT 3 Caroline	122	123	154	164
Cecil	674	1,169	839	813
Kent	146	93	96	139
Queen Anne's	304	346	248	282
Talbot	390	482	454	439
DISTRICT 4 Calvert	475	596	623	560
Charles	701	814	528	552
St. Mary's	479	588	527	573
DISTRICT 5 Prince George's	3,650	4,459	3,960	4,081
DISTRICT 6 Montgomery	3,071	3,656	3,414	5,364
DISTRICT 7 Anne Arundel	2,279	2,925	2,826	3,233
DISTRICT 8 Baltimore	3,879	4,704	4,022	4,212
DISTRICT 9 Harford	961	1,242	1,012	1,070
DISTRICT 10 Carroll	808	893	775	912
Howard	1,900	1,774	2,156	1,472
DISTRICT 11 Frederick	1,075	1,007	1,040	1,054
Washington	931	921	638	798
DISTRICT 12 Allegany	703	801	661	485
Garrett	303	289	215	242
STATE	27,539	32,330	29,294	31,552

TABLE DC-9
SPECIAL PROCEEDINGS
EMERGENCY EVALUATION AND DOMESTIC ABUSE HEARINGS
HELD IN THE DISTRICT COURT OF MARYLAND
JULY 1, 1984-JUNE 30, 1985
FISCAL 1985

	Emergency Hearings	Domestic Abuse
DISTRICT 1 Baltimore City	717	1,560
DISTRICT 2 Dorchester Somerset Wicomico Worcester	8 7 24 23	15 10 76 37
DISTRICT 3 Caroline Cecil Kent Queen Anne's Talbot	6 17 1 5 9	16 67 10 23 16
DISTRICT 4 Calvert Charles St. Mary's	13 4 39	11 1 48
DISTRICT 5 Prince George's	430	327
DISTRICT 6 Montgomery	204	123
DISTRICT 7 Anne Arundel	211	150
DISTRICT 8 Baltimore	280	448
DISTRICT 9 Harford	27	34
DISTRICT 10 Carroll Howard	16 25	51 76
DISTRICT 11 Frederick Washington	29 22	79 134
DISTRICT 12 Allegany Garrett	34 14	72 35
STATE	2,165	3,419

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Examination	Number of Candidates	Total Successful Candidates	Number of Candidates Taking First Time	Number of Candidates Passing First Time*
SUMMER 1984 (July)	1,076	767 (71.28%)	934	711 (76.12%)
Graduates				
University of Baltimore	208	174 (83.65%)	178	160 (89.88%)
Graduates				
University of Maryland	204	154 (75.49%)	182	145 (79.67%)
Graduates				
Out-of-State Law Schools	664	439 (66.11%)	574	406 (70.73%)
WINTER 1985 (February)	527	330 (62.61%)	304	225 (74.01%)
Graduates				
University of Baltimore	99	67 (67.67%)	65	54 (83.07%)
Graduates				
University of Maryland	61	39 (63.93%)	20	18 (90.00%)
Graduates				
Out-of-State Law Schools	367	224 (61.03%)	219	153 (69.86%)

*Percentages are based upon the number of first-time candidates.

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